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Communist Methods of Infiltration
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COMMUNIST METHODS OF INFILTRATION

(GOVERNMENT—LABOR)

**9335.4A181*

pts. 1-3

HEARINGS

BEFORE THE

COMMITTEE ON UN-AMERICAN ACTIVITIES

U.S. Congress
HOUSE OF REPRESENTATIVES

EIGHTY-THIRD CONGRESS

FIRST SESSION

APRIL 17, MAY 14, AND JUNE 9, 1953

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COMMITTEE ON UN-AMERICAN ACTIVITIES

UNITED STATES HOUSE OF REPRESENTATIVES

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LOUIS J. RUSSELL, *Chief Investigator*

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RAPHAEL I. NIXON, *Director of Research*

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The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946], chapter 753, 2d session, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

* * * * *

17. Committee on Un-American Activities, to consist of nine members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

(q) (1) Committee on Un-American Activities.

(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

RULES ADOPTED BY THE 83^d CONGRESS

House Resolution 5, January 3, 1953

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress, the following standing committees:

* * * * *

(q) Committee on Un-American Activities, to consist of nine members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

17. Committee on Un-American Activities.

(a) Un-American Activities.

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COMMUNIST METHODS OF INFILTRATION

(Government—Labor)

FRIDAY, APRIL 17, 1953

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D. C.

PUBLIC HEARING

The subcommittee of the Committee on Un-American Activities met, pursuant to adjournment, at 10:40 a. m., in the caucus room, 362 Old House Office Building, Hon. Harold H. Velde (chairman) presiding.

Committee members present: Representatives Harold H. Velde (chairman), Kit Clardy, Gordon H. Scherer, and Morgan M. Moulder.

Staff members present: Robert L. Kunzig, counsel; Frank S. Tavenner, Jr., counsel; Louis J. Russell, chief investigator; Raphael I. Nixon, director of research; Courtney E. Owens, investigator; and Thomas W. Beale, Sr., chief clerk.

Mr. VELDE. The committee will come to order.

Let the record show the chairman has appointed a subcommittee consisting of Mr. Clardy, Mr. Scherer, Mr. Moulder, and Chairman Velde for the purposes of the meeting this morning.

Before proceeding, Mr. Counsel, I would like to read into the record at this point a letter addressed to Hon. Donald Jackson, House of Representatives, Washington, D. C., from a housewife who watched and listened to the hearings recently held in Los Angeles on television. It's my opinion that this letter represents the intelligent—keenly intelligent—thinking of the average American woman today relative to communism and relative to hearings of this committee. The letter is as follows:

DEAR MR. JACKSON: During the month of March we experienced two detonations within our own living room. The first took place in the form of the atomic blast on Yucca Flats in Nevada. Through the medium of television we were able to see first hand the physical hell that was produced in a matter of seconds. To say that we were awed and frightened is putting it in the lightest form. We silently thanked God that it was only for experimental purposes, and as my young son said, "Not for real." Had it been for real, I feel certain that I would not be sitting here now writing this.

The second detonation started on Monday, March 23, at 10 a. m. Aftershocks of this second blast are still hitting me, and hitting hard. These shocks are not scientifically controlled, or calculated as those in the atomic detonation, but these are felt at the most unpredicted times. They have been felt as my son says grace at the dinner table. They have been felt as I watch my husband go to work. They have been felt as I have done the homely tasks, such as darning socks and washing dishes. I can assure you that these shocks are staggering, for they are shocks to my very soul. I have suddenly been awakened out of my

lethargy, that communism was a form of government in countries far removed from the United States, and that if any of it was in evidence in our country, it was simply a talking campaign of a few unstable people who were merely seeking a cause to work for much as I would work for the cause of the March of Dimes. I am now acutely aware that communism is a malignant growth in our American form of society, and that it can spread and be a slow and tortuous death to all that we as Americans hold dear.

I have seen a malignancy attack and kill a member of my own family and, as a direct result of watching and listening to your committee in action, I now know that communism is as insidious and deadly as cancer, and our only defense, as in cancer, is an early detection, and then swift actions in the cure.

At the onset of the hearings here in Los Angeles, I felt as many people have felt, that your committee should have the respect of the people since you are an acting branch of our Government, but I could not see what possible good could come from a simple question and answer session with no one convicted of any crime. Now, thanks to the medium of television and newspapers, I am acutely aware of the purpose of your committee, and feel that I owe all of the gentlemen on the committee my heartfelt thanks for opening my eyes to the things I could not see. I feel that each and every American owes all of the gentlemen on the committee thanks for sitting day after day, and taking so graciously insults to your integrity, your basic honesty, your personal beliefs, and your dignity as a Member of the Congress of the United States. Perhaps if you can sit long enough and take the abuse, it will mean the awakening of enough of the people that communism will be blotted out, and our American way of life will not be lost. As an American I felt personally insulted at some of the remarks directed at you gentlemen, and I personally want to thank you for the insults you took for me, and millions of people like me.

Along with the personal insult I felt that the unfriendly witnesses degraded the very forefathers of this great country. Our forefathers' basic reason for coming to this then wilderness, was for the chance to worship their God as they saw fit. As these unfriendly witnesses were sworn in, they took an oath to a God whom they did not believe in, and swore to tell the truth.

In the course of the investigation, one witness pointed out that she did not trust Mr. Tavenner. She also stated that she did not know the gentleman in question. It has not been my pleasure to know Mr. Tavenner either, but from watching him, and listening to him, I was impressed with his kindness and patience. His sincerity was most gratifying.

At one point in the proceedings when one of those long periods of silence filled the room while a witness consulted counsel, the television cameras were playing on Mr. Tavenner. It appeared to me that he was looking directly at me as I stood ironing. For a moment his gaze seemed to carry an admonishment to me to do a good job on the ironing I was doing, and I was suddenly aware of how simple my ironing job was compared to the ironing out job your committee has been called upon to do. The linen you have to iron is washed in deceit, rinsed in confusion, wrung with fear, and dried in hate. A few spots have been dampened with bitter tears of remorse, but for the most part it is dry and hard, and stubbornly resists the iron that would serve to make it once again a smooth and useful article. May God grant that all the ironing out I am called upon to do will be only the familiar things I love, that have had a chance to be washed in His gentle rain, and dried in His cleansing and warming sun. May He also grant you speed and comfort in your ironing-out job.

Another witness pointed out that at one time we had slavery and child labor in this country. As honest Americans we all realize that we, as a young nation, have made mistakes, and in both of the above-mentioned incidents these mistakes have been rectified in amendments to the Constitution. For the record, I would like to point out to all the ill-informed Communists that slavery in this country was abolished in 1865. That was 5 years before the birth of Lenin, 14 years before the birth of Stalin, and 26 years before the birth of Browder. We here in America had this problem straightened out before any of the contemporary Communist leaders were born. The child-labor amendment came in 1924, 29 years ago, and if my information is correct, this was before the Communists had actively started to undermine our Government. Let us keep our country so free that we can always work out our own problems, and do it in our own way, and not in a way recommended by the U. S. S. R.

Another witness stated that she wanted her children to be polite and would hate to have them think that a Congressman would interrupt a lady. I, too, have a child, and naturally want his manners to be above reproach, but I can assure

you that I would much prefer to have him "un-polite", rather than "un-American." Both factors are important, but his manners, or lack of them, will affect no one but him, but if he is un-American he may help to ruin the most democratic government the world has ever known.

The intensity with which I followed the investigations was so great that my son, whom I have mentioned before, also became interested. He watched many of the unfriendly witnesses, and repeatedly asked me, "Mom, why don't they just answer the question the man asked them?" I found it rather difficult to put my answers into words that a 10-year-old child could understand. He has been taught basic honesty, and he could not understand why a person would not give a direct answer to a direct question. My husband and I feel that through the television coverage our child saw communism working against, not with our Government. We think he is a better American for having had this experience.

When the investigations closed, I asked my son to tell me what he thought communism was. He said, "It is when the people who rule want to live freely among themselves, but don't want the little people to have that freedom." It is our intent to so impress him with his own words that he will never forget them. It is our prayer that he can always live happily as one of the little people.

I would like to commend the committee for the patience and understanding that was extended to the friendly witnesses. Had you not been the sincere and kindly personages you are, it is doubtful if you would have been able to harvest the wealth of information you gathered here.

I realize that this is long, and may never be read in its entirety, but I feel better for having written it, and hope in some small way expresses my deepest appreciation for the freedom we enjoy here, for the able men who run our Government, and for the brutal awakening your efforts brought forth in our home.

Inasmuch as we have not had permission from the writer of this letter, the name of the writer of the letter will be withheld, and the record will so show.

I would like for the record to show that the next witness will be the first of several witnesses dealing with our continuing investigations of individuals alleged to have been members of the Communist Party while employed by the Federal Government.

Mr. Counsel, will you call the witness?

Mr. KUNZIG. Miss Grier.

Would you stand and be sworn?

Mr. VELDE. In the testimony you are about to give before this subcommittee, do you solemnly swear you will tell the truth the whole truth and nothing but the truth, so help you God?

Miss GRIER. I so swear.

TESTIMONY OF MISS MARY CATHERINE GRIER, ACCOMPANIED BY HER COUNSEL, HARRY I. RAND

Mr. KUNZIG. Are you represented by counsel?

Miss GRIER. I am.

Mr. KUNZIG. Would counsel please state his name and address for the record?

Mr. RAND. Harry I. Rand—R-a-n-d—Wyatt Building, Washington 5, D. C.

Mr. KUNZIG. What is your full name?

Miss GRIER. Mary Catherine Grier.

Mr. KUNZIG. Could you speak just a little bit louder?

Miss GRIER. G-r-i-e-r.

Mr. KUNZIG. Is that Mrs. or Miss?

Miss GRIER. Miss Grier.

Mr. KUNZIG. Miss Grier. Mary Catherine Grier.

When and where were you born, Miss Grier?

Miss GRIER. In the State of Iowa, in 1907.

Mr. KUNZIG. What is your present address?

Miss GRIER. 2123 I Street NW., Washington, D. C.

Mr. VELDE. May we have order, please.

Mr. KUNZIG. Are you here, Miss Grier, in answer to a subpoena served on you April 10, 1953, in room 1033 of the Department of Interior, Washington, D. C.?

Miss GRIER. I am, sir.

Mr. KUNZIG. Would you give the committee a résumé of your educational background?

Miss GRIER. I attended elementary school in the State of Iowa and moved to Seattle when I was a high-school freshman, high-school sophomore, and completed my high school and college education there at the State university, where I graduated as a bachelor of science and as a bachelor of library science in 1930.

Mr. KUNZIG. Does that complete your educational background?

Miss GRIER. Yes.

Mr. KUNZIG. Now, would you give the committee a résumé of your employment background?

Miss GRIER. I was employed for 12 years as a librarian.

Mr. KUNZIG. Would you kindly continue?

Miss GRIER. Surely.

Upon graduation from the library school, University of Washington, I worked for 12 years in the University of Washington library.

In the fall of 1942 I resigned my position there as librarian of the Oceanographic Laboratories which had closed for the war, and worked for a couple of months as an inspector in the plant 2, I believe it was, at Boeing Aircraft Co. in the city of Seattle.

In 1943, early in 1943, an Oceanographic Unit within the then Air Force of our Nation asked me to be their research librarian here in Washington. So, I came and 5 months did these duties for them, and in 5 months' time that unit was transferred to the United States Hydrographic Office of the Navy, where I remained employed until reduced in force in May—late May of 1947, at which time I took a job as a research analyst with the Arctic Institute of North America, to be one of the staff to prepare a bibliography on arctic materials under the auspices of the Arctic Institute of North America, Inc.

A year and a half ago, having finished my part of that project, I was employed as a bibliographer and indexer for the Geological Society of America, upon which job I am now engaged.

Mr. KUNZIG. What kind of work did you do for the Hydrographic Office that you mentioned a moment ago?

Miss GRIER. I was the person who went to libraries throughout the city of Washington and throughout the eastern part of the United States—or even by not going—for research materials which were used for reports submitted to the armed services.

Mr. KUNZIG. You, as I understand it, then, got background materials and put together materials which were used as a basis for reports furnished to the armed services—

Miss GRIER. That is correct.

Mr. KUNZIG. Of the United States of America?

Miss GRIER. Yes.

Mr. KUNZIG. Well, now, do you know, if it lies within your knowledge, whether you were cleared as a result of any investigation to handle classified matter?

Miss GRIER. So far as I know, sir.

Mr. KUNZIG. So far as you know, you were?

Miss GRIER. Yes.

Mr. KUNZIG. Did you handle any classified matter while employed in the Hydrographic Office?

Miss GRIER. We had confidential materials in our office; yes. Do you mean handle? I saw them around; yes.

Mr. KUNZIG. You saw them around?

Miss GRIER. Yes.

Mr. KUNZIG. I see.

Miss GRIER. The reports were——

Mr. KUNZIG. You said you left the employ of the Navy Department as a result of reduction of force?

Miss GRIER. I did.

Mr. KUNZIG. What type of work was it that you did when you were working for the Arctic Institute of North America?

Miss GRIER. Bibliographic work.

Mr. MOULDER. Working where?

I can't hear the testimony.

Mr. VELDE. I would appreciate it very much——

Mr. MOULDER. Would you speak a little louder——

Mr. VELDE. Maybe you can get a little closer to the microphone——

Mr. MOULDER. Or else do that.

Mr. VELDE. Because it is very difficult for us to hear. The acoustics in this room are extremely bad.

Mr. KUNZIG. I will repeat the question, Miss Grier.

With respect to your employment by the Arctic Institute of North America, what type of work did you do there?

Miss GRIER. I was a bibliographer and worked with research materials on all branches of science—in fact, all branches of the arctic.

Mr. VELDE. Thank you. That is much better.

Mr. KUNZIG. While you were employed in this particular work, where did you physically do your work?

Miss GRIER. Mostly in the collection of libraries of this city, the collection of—famous collection of the Library of Congress itself, and in other libraries—wholly scientific material, since that is my branch of the work——

Mr. KUNZIG. I see.

Miss GRIER. Throughout the city, but also in other parts of the east coast—New York Public Library, American Museum of Natural History——

Mr. KUNZIG. Did you have a desk assigned to you at the Library of Congress or in the Library of Congress during that period?

Miss GRIER. Yes; our unit had study space there.

Mr. KUNZIG. I see.

If you can state so, would you tell how you obtained your present position?

Miss GRIER. By knowledge of the Geological Society of my experience as a bibliographer. They had been looking for somebody to fill a vacancy on their staff for some number of months.

Mr. MOULDER. What is her present position?

I haven't learned that yet.

Mr. KUNZIG. Would you repeat again your present position?

Miss GRIER. Yes.

Mr. KUNZIG. It is hard to hear.

Miss GRIER. I am now a bibliographer for the Geological Society of America. We issue an annual volume on all of abstracts and an index volume of literature on geology, exclusive of this North American Continent, foreign material and other materials dealing with geology not in the North American Continent. An annual volume is published by them, and I am on that staff as a abstractor and bibliographer.

Mr. MOULDER. Did I understand counsel to ask if a subpoena had been served upon you here in Washington in room so-and-so of the Department of Interior?

Mr. KUNZIG. We are coming to that.

Mr. MOULDER. Very well.

Mr. KUNZIG. Would you tell the committee, Miss Grier, whom you used as references in applying for this position that you presently hold?

Miss GRIER. I believe that they wanted to know the people with whom I had been working, but did know them. I am afraid I don't know whom I gave as personal references—probably people I worked with here in the city.

Mr. KUNZIG. Now, isn't it correct that your office in which you actually and physically do this work is located in Room 1033 of the Department of Interior in the Interior Building here in Washington?

Miss GRIER. That is true.

Mr. KUNZIG. Is it correct you have a Department of Interior phone on your desk, Extension 3860?

Miss GRIER. The phone for the far end of the reading room in the Geological Survey Library is in that part of the room where I am.

Mr. KUNZIG. Well, would you explain to the committee the circumstances under which you have received the use of this desk and the phone?

Miss GRIER. I believe a cooperative arrangement of many years has existed between the Geological Society of America, which publishes this set of annual volumes, and the Geological Survey whereby the staff which abstracts and then compiles a volume may use the incoming journals and books received by the Geological Survey Library. That's handled in a routine way so that all material coming in can be covered by the staff.

Mr. KUNZIG. Well, now, you, working there, have access to the material in the library; is that correct?

Miss GRIER. Yes; the open material.

Mr. KUNZIG. Oh, is there closed material?

Miss GRIER. Generally so. Within the building, I imagine so.

Mr. SCHERER. I didn't—pardon me, Mr. Kunzig—hear your last question that time.

Mr. KUNZIG. I am sorry.

My question was whether there was closed or confidential material in that library.

Miss GRIER. I imagine so. I don't know. I do not know because we only handle that which comes in over the truck for the use of the people who work and study there.

Mr. KUNZIG. Before you came to Washington, Miss Grier, you stated, I believe, you were a resident of Seattle; is that correct?

Miss GRIER. That is right.

Mr. KUNZIG. Seattle, Wash.?

Miss GRIER. Yes.

Mr. KUNZIG. While you were residing at Seattle, Wash., were you acquainted with an individual known as Andrew Remes—R-e-m-e-s?

I may not be pronouncing it correctly. Remes, I believe you pronounce it.

Miss GRIER. I believe I must decline to answer that question, sir.

Mr. KUNZIG. For what reason?

Miss GRIER. Standing upon my privileges under the Constitution, particularly the fifth amendment.

Mr. KUNZIG. Isn't it true that Andrew Remes was a Communist Party candidate in Seattle for county commissioner in 1942?

Miss GRIER. I must decline to answer that on the same grounds, sir.

Mr. KUNZIG. If I showed you an issue of the Daily Worker of October 25, 1942, an article written by Jean Frankfeld—F-r-a-n-k-f-e-l-d—special to the Worker, date line Seattle, with the heading "Seattle Communists name Remes for Commissioner"—if I showed you that article, marked "Grier Exhibit No. 1" for identification, would that refresh your memory as to whether or not you knew Mr. Remes in Seattle?

Miss GRIER. I must still decline to answer the question, sir, on the same grounds.

Mr. VELDE. Miss Grier, you keep saying you must decline to answer the question. There certainly is no compulsion that you decline to answer the question. You have the right to refuse to answer the question based on the grounds of the fifth amendment; but if you do refuse, I wish you would so state, instead of that you must decline to answer the question.

Miss GRIER. I refuse to answer that, sir, on the same grounds.

Mr. KUNZIG. Isn't it a fact, Miss Grier, that you were active—actually, personally were active—in the campaign of Mr. Remes for office at that time?

Miss GRIER. I refuse to answer that question on the same grounds, sir.

Mr. KUNZIG. During your residence in Seattle, Wash., were you acquainted with one Louis Weinzirl—W-e-i-n-z-i-r-l?

Miss GRIER. I am, sir.

Mr. KUNZIG. Is Mr. Weinzirl related to you in any way?

Miss GRIER. He is my brother-in-law.

Mr. CLARDY. Your what?

Miss GRIER. My brother-in-law.

Mr. KUNZIG. Were you acquainted with him when he was employed in the Office of Civilian Defense in Seattle?

Miss GRIER. I was.

Mr. KUNZIG. Are you familiar with the reasons for his dismissal from this office for Communist Party activities?

Miss GRIER. I must refuse to answer that question, sir.

Mr. VELDE. Now, again, there is no compulsion.

Miss GRIER. I am sorry. I do so refuse.

Mr. CLARDY. Counsel, may I inquire is not that a matter of public record as to why the discharge took place?

Mr. KUNZIG. I believe it is publicly known in Seattle; yes, sir.

Mr. CLARDY. Well, the reason I inquired—you might address a question to her based on the matters that are known to the public at large to see whether she will refuse to answer that.

Mr. KUNZIG. Has it come within your general knowledge, then, as it has with other folks in the general public at large, that Louis Weinzirl was discharged from the Office of Civilian Defense in Seattle for subversive activities or for activities in the Communist Party?

(At this point Miss Grier conferred with Mr. Rand.)

Miss GRIER. I decline to answer that question, sir—

Mr. CLARDY. Counsel, I have—

Miss GRIER. On the same grounds.

Mr. CLARDY (continuing). A question there.

Witness, the last question was addressed to you because I wanted to have elicited an answer that could not possibly be based upon any Communist connections on your part or anything dealing with the Communist Party. We are asking a question—and I am going to repeat it in a moment—designed to inquire as to your knowledge which you alone, with other members of the public, would glean from matters that everyone knew about.

Now, I am going to ask you again: Did you not know from records published at the time as to the reason and the cause for the discharge of this person we are talking about?

Miss GRIER. Will you excuse me, please, sir?

Mr. CLARDY. Yes; you may consult with your counsel, as you have been doing.

(At this point Miss Grier conferred with Mr. Rand.)

Miss GRIER. I shall still decline, sir, to answer the question.

Mr. CLARDY. Now, Mr. Chairman, I ask that the witness be directed to answer the question because it is obvious that the defense she is attempting to erect is not a valid one, that the material that I am inquiring about is not something that could possibly incriminate her, because it is merely a question as to whether or not anything has come to her attention that was common public knowledge; and I think she should be directed and I think she should be told she is being directed to answer the question as a prelude to possible further action by this committee in the way of contempt action.

Mr. VELDE. Yes. The Chair agrees with the distinguished gentleman from Michigan. The question is very simple and the Chair can see no way which an answer of "Yes" or "No," with any explanation you want to make after you answer the question "Yes" or "No," could possibly incriminate you. So, you are directed to answer the question put to you by Mr. Clardy.

Mr. RAND. May we have the question read again, please?

Mr. CLARDY. Yes.

Mr. VELDE. Yes. Will the reporter read the question, please.

(The reporter read the question as follows: "Did you not know from records published at the time as to the reason and the cause for the discharge of this person we are talking about?")

(At this point Miss Grier conferred with Mr. Rand.)

Mr. VELDE. And the name of that person again, Mr. Counsel?

Mr. KUNZIG. Louis Weinzirl—W-e-i-n-z-i-r-l—brother-in-law of Miss Grier.

Mr. CLARDY. And before you answer, Witness, I want you to understand I am merely inquiring as to whether or not you had knowledge of something that was published and was, therefore, common knowledge. That is all I am asking.

Miss GRIER. The common knowledge of details about that situation, sir, I didn't have and don't have now because I believe I was in the city of Washington. I have heard about it from my family.

Mr. CLARDY. And having heard about it from your family, did you not learn that, as counsel has indicated in the prior questioning, his discharge was connected with Communist activities?

Mr. MOULDER. Of course, what she heard would be hearsay, Mr. Clardy.

Mr. CLARDY. Well, that makes no difference. I am inquiring as to whether that was not what she heard.

Mr. KUNZIG. Mr. Chairman, I suggest this line of questioning, with due respect to Mr. Clardy, is with regard to another person and, therefore, not particularly material in this issue.

Mr. CLARDY. Well, I beg to differ with counsel and point out I am attempting to get from this witness a clear and direct answer on the subject you were inquiring about, sir.

Mr. VELDE. Well, of course——

Mr. CLARDY. I think it is important.

Mr. VELDE. We all realize this is not a court of law and the strict rules of evidence, of course, do not apply in hearings before congressional committees. However, in spite of that fact, we all know, too, as I think we are all lawyers here, that certain types of hearsay evidence are admissible in a court of law. So, I believe the question is proper and should be answered.

Mr. CLARDY. She, of course, may decline to answer.

We are not cutting you off from that on the constitutional grounds, if you want to raise it. I am not saying it is valid or you are entitled to it, but you have the privilege of at least raising it.

Now, will you answer the question?

Mr. RAND. Do you know what the question is?

Miss GRIER. I am sorry. I had——

Mr. VELDE. Can you——

Mr. CLARDY. I can rephrase the question. The question is quite simple. It is based upon what you, yourself, mentioned—the knowledge coming to you from your family. Is it not true that you now know the discharge was because of Communist activities or connections on the part of the gentleman in question?

Miss GRIER. No; I do not know that, sir.

Mr. CLARDY. You do not know that?

Miss GRIER. No.

Mr. CLARDY. That is all, Counsel.

Mr. KUNZIG. During your residence in Seattle, Miss Grier, were you acquainted with Philip Frankfeld—F-r-a-n-k-f-e-l-d?

Miss GRIER. I decline to answer that question, sir, on the previous grounds.

Mr. KUNZIG. Wasn't Philip Frankfeld serving as executive secretary of the northwest district committee of the Communist Party in Seattle, and didn't you know him as such?

MISS GRIER. I decline to answer that question, sir.

MR. KUNZIG. Are you aware——

MR. VELDE. Mr. Counsel——

MISS GRIER. No, sir.

MR. VELDE. The committee has ample evidence to prove the statement in your last question——

MR. KUNZIG. Yes.

MR. VELDE. Is that not so?

MR. KUNZIG. It is a matter of public record; yes, sir.

MR. FRANKFELD was recently convicted under the Smith Act with the Baltimore leaders of the Communist Party.

MR. CLARDY. I couldn't make that out, Counsel. Would you please repeat it?

MR. KUNZIG. Mr. Frankfeld was recently convicted under the Smith Act with the Baltimore leaders of the Communist Party.

MR. SCHERER. I didn't hear it. Will you read it again?

MR. KUNZIG. I said——

MR. CLARDY. Counsel, it isn't your fault. A little noise interrupts in the middle of 1 or 2 of your words. I got it the second time, but he didn't.

MR. KUNZIG. I said Mr. Frankfeld was recently convicted under the Smith Act with the Baltimore leaders of the Communist Party.

MISS GRIER, when you resided in Seattle, were you a member of the Communist Party?

MISS GRIER. I decline to answer that question, sir, on the same grounds.

MR. KUNZIG. When you left Seattle, Wash., to come to Washington, D. C., to accept your position with the Air Force, were you informed by Phil Frankfeld to contact Martin Chancey—C-h-a-n-c-e-y—of the Communist Party in the District of Columbia with reference to continuing your work and membership in the Communist Party?

MISS GRIER. I decline to answer that question, sir, on the same grounds.

MR. KUNZIG. Did you ever know——

MR. CLARDY. Pardon me, Counsel.

You are whispering again, Witness.

MISS GRIER. I am sorry.

MR. CLARDY. If you would keep your voice up a little, it would be helpful.

MR. KUNZIG. Did you ever know Martin Chancey?

MISS GRIER. I decline to answer that question, sir, on the same grounds.

MR. KUNZIG. Will the chairman let the record show there is sworn testimony before this committee that in February 1943, Martin Chancey was secretary of the Communist Party of the District of Columbia?

That has been testified by Mary Stalcup¹—S-t-a-l-c-u-p—who served as an undercover agent for the FBI for 7 years in Washington, D. C.

MR. VELDE. The record will so indicate.

MR. KUNZIG. Miss Grier——

MR. MOULDER. At this juncture——

MR. KUNZIG. Isn't it true——

¹This individual testified under her married name, Mary Staleup Markward, July 11, 1951.

Mr. MOULDER. I suggest you repeat the question after you have identified the person.

Mr. KUNZIG. Pardon.

Mr. MOULDER. I suggest that you repeat your question after you have properly identified the person you are inquiring about——

Mr. KUNZIG. Yes.

Mr. MOULDER. As to whether or not she was acquainted with him.

Mr. KUNZIG. That is just what I was going to do, sir.

Miss Grier, as to this Martin Chancey, to whom we were just referring, to whom I have just alluded, isn't it true—I will repeat the question—that you knew Martin Chancey and that you reported to him when you came here to Washington for "duty" as a member of the Communist Party?

Miss GRIER. I decline to answer that question, sir, on the same grounds.

Mr. KUNZIG. Isn't it true that when you left Seattle, Wash., the Communist Party transferred your membership from Seattle to Washington, D. C.?

Miss GRIER. I also decline to answer that question, sir, on the same grounds.

Mr. KUNZIG. Now, you came here to work with the Air Force; is that correct——

Miss GRIER. That is so.

Mr. KUNZIG. First?

Miss GRIER. That is correct.

Mr. KUNZIG. Now, when you were working for the Air Force, were you a member of the Communist Party?

Miss GRIER. I decline to answer that question, sir, on the same grounds.

Mr. KUNZIG. Then, I believe you said the work was transferred over to the Navy Department in Hydrographic?

Miss GRIER. That is correct.

Mr. KUNZIG. Now, when you were working for the Navy Department, would you tell this committee whether you were a member of the Communist Party?

Miss GRIER. I will decline to answer that question on the same grounds.

Mr. MOULDER. Does the record show the period of that employment?

Miss GRIER. Yes, sir.

Mr. KUNZIG. It is already in the record.

Mr. MOULDER. All right.

Mr. SCHERER. While you were working for the Air Force in the Navy Department, Miss Grier, did you have any classified or confidential information under your control?

Miss GRIER. Not under my control because I was the library research person.

Are you Mr. Jackson?

Mr. SCHERER. No; I am Scherer.

Miss GRIER. Scherer.

However, the reports which the people prepared in the unit for which I served as librarian were confidential.

Mr. SCHERER. Well, did you have access to those reports, then?

Miss GRIER. In the office; yes. They were being written there.

Mr. SCHERER. Now, did you ever transfer any of that confidential information or classified information to any person?

Miss GRIER. I did not, sir.

Mr. SCHERER. Did you ever transfer any of that information to any member of the Communist Party or any functionary of the Communist Party?

Miss GRIER. Indeed not, sir.

Mr. VELDE. Well, I might ask, too: Did you ever have any of the classified information in your possession?

Miss GRIER. Never outside the office, sir.

Mr. VELDE. Well, did you have inside the office?

Miss GRIER. All of us worked in collating it, getting it together. You mean in my hands?

Mr. VELDE. Yes; that is right.

Miss GRIER. Oh, yes; in that it would come in—putting these things together, in getting them ready to send—and, obviously, I would have helped handle them along with everybody else who was in the room at that time.

Mr. VELDE. Then you carried knowledge of the information contained in this classified material?

Miss GRIER. I had obtained material from the library to provide—

Mr. VELDE. I am sorry. I can't understand you.

Miss GRIER. I had brought the material from libraries to help the people who write it provide that information. Of course, I knew to some extent what was in—I did not help write it, but I went out and got the materials for them.

Mr. MOULDER. You got it.

Mr. VELDE. Well, laying aside the fact you got it, you said you had never transferred any information of a classified nature to anyone, as I understand it?

Miss GRIER. That's correct.

Mr. VELDE. But are you speaking now of the physical document itself or the knowledge that you gained from this?

Miss GRIER. I am speaking of both, sir, in fact.

Mr. VELDE. And you never talked to anyone regarding the information that you obtained as a result of reading or furnishing this classified information?

Miss GRIER. Never, sir. That was very involved. In fact, that is what was confidential about most of these things is the material I might have obtained.

Mr. VELDE. Well, I am not trying to catch you but, of course, you must have, in preparing this information, talked to somebody about it, or—

Miss GRIER. We only would discuss it, sir, in the office. I never discussed it with anyone outside of the office, nor in any other way handled it.

I wish to reply to you as fully as I can, Mr. Velde, because I feel quite—that that is an important thing for people working, not only in time of war but in time of peace, with American military matters. Not only must one be careful in regard to conversation or otherwise about certain aspects of it, but in military campaigns you've got to be very careful even in hunting this material not—for people not to know what you are hunting about, as you can—as you probably very well know.

Mr. SCHERER. It was highly confidential; wasn't it?

Miss GRIER. I think most of the work that was done——

Mr. SCHERER. I mean you are familiar——

Miss GRIER. By——

Mr. SCHERER. The work you were familiar with was highly confidential, as you just explained?

Miss GRIER. "Confidential" is a regular term applied in the Navy, sir, to certain types of documents and work that one is doing. There are classification schedules. That is one of them, and reports which my unit prepared were confidential.

Mr. SCHERER. Now, has the question been asked the witness yet—I may have missed it—whether she today is a member of the Communist Party?

Mr. KUNZIG. No.

Mr. SCHERER. Can I ask that question?

Miss GRIER. Yes.

Mr. KUNZIG. Yes.

Mr. SCHERER. Are you today a member of the Communist Party?

Miss GRIER. I am not.

Mr. KUNZIG. Have you at any time in the past been a member of the Communist Party?

Miss GRIER. I decline to answer that question, sir, on the grounds of my constitutional privileges and the fifth amendment.

Mr. CLARDY. Counsel, I want to go back to the subject we got switched off on the last series of questions that was asked.

As I understand it, you did have in your physical possession and you did understand from the mental standpoint the contents of confidential documents of various kinds. I am correct in that understanding; am I not?

Miss GRIER. At one time, sir, the work was done by the Oceanographic Unit.

Mr. CLARDY. There were what?

Miss GRIER. At one time, sir, that was handled and prepared by the Oceanographic Unit.

Mr. CLARDY. All right, in that category, at least, you did come in possession, in an understanding way, of information that could have been transmitted by you or anyone else who came in contact with it, whether it was so actually transmitted or not? That is true also; isn't it?

Miss GRIER. That is true.

Mr. CLARDY. Now, do I understand from your testimony that you are saying, however, that you at no time made any copy, either in whole or in part, of any of the material that came to your attention?

Miss GRIER. Indeed I am, sir.

Mr. CLARDY. And that——

Miss GRIER. Excuse me.

I made no copy, whole or in part, other than is required in the work of the office there.

Mr. CLARDY. And you carried with you from the office no copy of such material?

Miss GRIER. I did not, sir.

Mr. CLARDY. Did you ever at any time after leaving the office, however, record from memory the substance, if not the exact wording, of some information that may have come to your attention while you were on the job?

Miss GRIER. I have not, sir, nor, I am afraid, could I.

Mr. CLARDY. Did you ever transmit without recording it in physical form any of the information that came to your attention—and by transmit I mean by word of mouth, by sign, or by any other method any of the information which came to your attention and to your knowledge while you were employed?

Miss GRIER. I have not, sir, nor would I.

Mr. CLARDY. Were you ever interrogated by anybody concerning any of that information?

Miss GRIER. I was not, sir.

Mr. CLARDY. Do you have any recollection of ever having attended any Communist meeting, however, during the period of time you were so employed?

Miss GRIER. I decline to answer that question, sir.

Mr. CLARDY. Now, I am talking about the period of time you had access to this confidential information.

I will rephrase my question so it will be understandable: During that time that you had access to this confidential information, did you attend any Communist meeting or meetings anywhere?

Miss GRIER. I decline to answer that question, sir, on the grounds of my constitutional rights under the fifth amendment.

Mr. CLARDY. Were you during that same period acquainted with anyone who, to your knowledge, was a member of the Communist Party?

Miss GRIER. I decline to answer that question, sir, on the same grounds.

Mr. SCHERER. Miss Grier, I asked you before whether or not you were a member of the Communist Party at the present time and your answer was "No," and in reply to Mr. Kunzig's question you declined to answer whether or not you had ever been a member of the Communist Party. Now, let me ask you this question: Are you a Communist today, without reference to being a party member?

Miss GRIER. I am not, sir.

Mr. SCHERER. I see.

Were you a member of the Communist Party or were you a Communist in the year 1952?

Miss GRIER. I decline to answer that question, sir, on the same grounds.

Mr. SCHERER. Were you a member of the Communist Party or a Communist last month?

Miss GRIER. I decline to answer that question, too, sir, on the same grounds.

Mr. SCHERER. Were you a Communist or a member of the Communist Party yesterday?

Miss GRIER. I will decline to answer that on the same grounds, sir.

Mr. SCHERER. I have no further questions.

Mr. KUNZIG. But today—today you are not a member of the Communist Party?

Miss GRIER. I am certainly not, sir.

Mr. KUNZIG. And was to yesterday—

Mr. VELDE. What was that? I didn't get the answer.

Mr. KUNZIG. "I am certainly not, sir."

But as of yesterday you decline to answer; is that not correct?

Miss GRIER. I do so decline.

Mr. KUNZIG. Now, Miss Grier—

Mr. CLARDY. Counsel, let's bring it down to a little closer period of time. Yesterday could be as far as 24 hours ago or as close a time as 12 hours ago. Let's see if she was a member 12 hours ago.

Will you ask that question?

I am suggesting.

Mr. KUNZIG. All right, sir.

Were you a member of the Communist Party 12 hours ago?

Miss GRIER. I decline to answer that question.

Mr. MOULDER. Why not say 5 minutes ago, because she is declining for reasons that are leading?

Mr. KUNZIG. Prior to coming into this room to testify, were you a member of the Communist Party?

Miss GRIER. I decline to answer that question too, sir.

Mr. KUNZIG. But now you are not a member?

Miss GRIER. I am not.

Mr. KUNZIG. Do you want me to continue, sir?

Mr. VELDE. I must say for the record the testimony of the record is a little bit ridiculous in this matter she refuses to answer.

Mr. KUNZIG. Apparently entering this room has an amazing effect. Excuse me, sir.

Mr. VELDE. Did you hear the letter I read into the record from the California housewife?

Miss GRIER. I did, Mr. Velde.

Mr. VELDE. Did that in any way impress you as to your recent testimony concerning your denial of membership in the Communist Party?

Miss GRIER. I have refused to answer such questions, sir, without implication.

Mr. VELDE. Well, now, for your benefit—I realize you have counsel here—I might tell you that the committee is authorized by the House of Representatives to make investigations relative to subversive activities, subversive propaganda, in the United States, and to report to Congress, and report to the American people as well, for the purposes of remedial legislation.

The committee is out to ascertain facts relative to subversion in an objective sort of way.

As expressed in this letter which I read into the record, members of the committee—and I think that is true of the greatest majority of the House of Representatives—are very vitally concerned with subversive activities in this country, and they are very forgiving, and especially in the cases of Communist Party members who have knowledge of facts relative to subversion.

In that capacity, while you haven't admitted you were a member of the Communist Party at one time, the inference is plain. In that capacity as a member, or a former member, of the Communist Party, you could do a great service for your country if you would give us the information relative to the activities of yourself and others who were in the Communist Party with you, if you were in the Communist Party.

In view of that statement, would you care now to say whether you have ever been a member of the Communist Party?

Miss GRIER. I decline, sir, to answer the question.

Mr. KUNZIG. May I proceed, sir?

Mr. VELDE. Proceed.

Mr. KUNZIG. Miss Grier, you have been identified to this committee as a member of the Communist Party assigned to an underground Navy Department cell during your employment by the Navy, and also by the Air Force. Do you wish to confirm or deny that identification at this time?

Miss GRIER. I decline to answer, sir, on the same grounds.

Mr. VELDE. Let the record show that whenever the witness declines to answer—and I think this is agreeable with the witness and with counsel—that it is on the grounds of the fifth amendment—

Mr. CLARDY. If she—

Mr. VELDE. And other constitutional grounds.

Mr. CLARDY. If she should inadvertently fail to mention it, she has that protection.

Mr. RAND. Thank you very much.

Mr. KUNZIG. It has been further stated by an informant and confidential investigator that you served for a while in 1945 as actually the chairman of this underground cell in the Navy Department; is that correct?

Miss GRIER. I decline to answer, sir.

Mr. KUNZIG. Our information reveals that you terminated your membership in this underground cell in 1947. Do you care to affirm or deny that statement?

Miss GRIER. I decline to answer, sir.

Mr. KUNZIG. Miss Grier, to go back for just a moment to this Oceanographic Unit, and so forth, what type of work did you prepare or what type of documents did you prepare which were to be used by the Armed Forces of the United States?

Miss GRIER. I was—

Are you speaking of the unit, sir, or me?

Mr. KUNZIG. You, yourself, and the unit, too.

Miss GRIER. Because I did not write reports.

Mr. KUNZIG. Well—

Miss GRIER. I mention this because—

Mr. KUNZIG. Prepared the material.

Miss GRIER. I am a librarian and I found the material.

Mr. KUNZIG. You found the material?

Miss GRIER. They used the material—other people used the material—and wrote the reports.

Mr. KUNZIG. What type of work was that? What type of reports were they—subjects?

Mr. VELDE. Well, now, Mr. Counsel, you are probably getting into the realm of classified information which must not be made public.

I believe we will declare a recess for 5 minutes at this time.

The committee will be in recess for 5 minutes.

(Whereupon, at 11:30 a. m., the hearing was recessed, to reconvene at 11:35 a. m.)

(The hearing reconvened at 11:39 a. m.)

Mr. VELDE. The committee will be in order. Do you have any questions, Mr. Moulder?

Mr. MOULDER. Miss Grier, my colleague Mr. Scherer has asked a number of witnesses this question and I want to direct this question to

you. I think the testimony and your appearance before the committee lays a firm foundation and basis for this question.

Have you at any time ever been employed as an agent for any foreign government?

MISS GRIER. I have not, nor would I.

MR. VELDE. In line with that question, have you ever paid any money to or received any money from the Communist Party of the United States?

MISS GRIER. I decline to answer that question, sir.

MR. VELDE. Have you ever acted as an agent in any capacity or as an employee for the Communist Party of the United States?

MISS GRIER. What was the first part of that question, Mr. Chairman?

MR. VELDE. Did you ever act in any capacity as an agent or otherwise for the Communist Party of the United States?

(At this point Miss Grier conferred with Mr. Rand.)

MISS GRIER. I will decline to answer that, sir.

MR. VELDE. In other words, Miss Grier, the Communist Party of the United States is certainly a part and parcel of Soviet Russia and under the direction of Soviet Russia. That fact has been proven time and time again. So, while you say you were not an agent and acting for Soviet Russia if you were a member of the Communist Party, it might well be concluded that you were in that capacity an agent of the Soviet Union.

MR. RAND. Is there a question, Mr. Velde? I didn't get the question, I am sorry.

MR. MOULDER. In answer to my question you said you were not ever employed as an agent. You denied that and stated you were not employed by any foreign government. Wasn't that your answer?

MISS GRIER. It was indeed, sir.

MR. MOULDER. In answer to the chairman's question as to whether or not you had ever received any compensation or money for any services rendered in that respect, you declined to answer. I cannot understand the conflict. On the one hand you decline to answer and on the other you did answer.

MISS GRIER. Would you care to read the question, because that is not the way I remember the question.

MR. VELDE. Which question are you referring to?

MISS GRIER. Yours, Mr. Velde, because Mr. Moulder has said that the question asked had been whether I had ever received any moneys. Would you please read it.

MR. VELDE. I asked you several questions with reference to your employment by the Communist Party of the United States and made an affirmative statement that it has been proven any number of times that the Communist Party is an agent of the Soviet Union.

With that in mind, will you now say that you are or are not or never have been an agent for the Soviet Government?

MISS GRIER. I would say emphatically that I have never been, nor would I be.

MR. VELDE. Do you believe that the Communist Party, the American Communist Party, as I have stated, is a part of the Soviet Government and directed by the Soviet Government? Do you believe that?

(At this point Miss Grier conferred with Mr. Rand.)

MISS GRIER. I decline to answer that question, sir.

Mr. KUNZIG. I want to go back to just one thing that was discussed prior to the recess, Miss Grier. Without going into any confidential material of any kind whatsoever, I want to get this straight for myself and for the record. As I understand it, Is it correct that you compiled material or as a researcher got material together and that that material was used officially by the armed services of the United States? Is that correct?

Miss GRIER. Should I answer?

Mr. KUNZIG. Would you answer further if you wish?

Miss GRIER. Yes, I will. Intelligence reports, the various small portions of certain types of intelligence reports put out, one small section of which was issued by the Oceanography Unit for the people who compiled it, who wrote it, who prepared these intelligence reports, I went to the library to hunt for what they might need and what I can find and hunt until I can find anything that can help them. In compiling in oceanography they need data and the data has not been organized in this country to the point where you do not need somebody who knows something about libraries to hunt for it. I went and hunted for the material and the people used it and they won the war with it.

Mr. SCHERER. You say this material has not been organized in this country?

Miss GRIER. Library materials have not been organized in this country around the science of oceanography in such a way that it can be easily obtained. Intensive research was required in order to get the material together.

Mr. SCHERER. Do you know whether they have had such organization of material in any other country?

Miss GRIER. I could go on at some length about oceanography in other countries. I am only a librarian and not an expert in oceanography. I only know about the literature on it.

Mr. SCHERER. Do you know whether or not the Soviet Government has the material organized as you say we do not have it organized here in the United States?

Miss GRIER. I know very little about the present organization because their periodicals have not been received in this country in any quantity at all since the late 1930's, so that actually I don't know something that people would like to know.

Mr. KUNZIG. To continue on with the questioning, in spite of the difficulty of the hammering in the background, you made a statement at the end of your last comment which I don't know was heard due to the difficulty with the public address system and the noise in the room. You said you got this material together and then you added the phrase at the end of your sentence "and we won the war with it." I know you don't mean solely won the war, but I take it you mean the material that you gathered was important for use by the armed services.

Miss GRIER. Naturally so, sir.

Mr. KUNZIG. Would you repeat that.

Miss GRIER. That contribution in handling material in libraries will be a modest one. Please don't misunderstand me, but I only say because I feel that librarians are quite important in this world, that when we started in fighting this war we had to use them at last because

we had to dig stuff out of the libraries in order for us to know what we were doing in parts of the world before.

There had not been depth data made by this Government or even the British Government since the middle of the 19th century, in certain sections of the South Pacific.

Mr. KUNZIG. And at least some parts of these reports were based on data which you compiled, I believe, from your being the librarian for the Oceanography Unit?

Miss GRIER. I did not compile them. They were compiled and already in print. I brought them from libraries, having found them in the libraries without having to go and use the library people, thereby letting one more person go. These units needed somebody who could go to the library and use the library themselves. That is what we did, many librarians I am sure, for the Government during that time.

Mr. KUNZIG. You testified that you yourself did not prepare the actual documents later. But did you see them after they were prepared, the result?

Miss GRIER. Not in the sense of reading them. However, everyone in our unit had to mechanically collate these things.

Mr. KUNZIG. Is it true that you were the subject of a loyalty hearing during the period of your Government employment?

(At this point Miss Grier conferred with Mr. Rand.)

Miss GRIER. I decline to answer that question, sir.

Mr. KUNZIG. If you were the subject of a loyalty hearing, did you testify or comment at that time upon your Communist Party membership, yes or no, as to whether or not you were a member?

Miss GRIER. I decline to answer that question, sir.

Mr. KUNZIG. Did any Government official during your term of employment with the United States Navy and Air Force, did anyone question you about your Communist Party membership?

Miss GRIER. I decline to answer that question, sir.

Mr. KUNZIG. Did you testify at any time under oath with respect to Communist Party membership?

Miss GRIER. I decline to answer that question, sir.

Mr. KUNZIG. Miss Grier, investigation has shown that you were the subject of a loyalty hearing in 1946.

Mr. VELDE. In which department?

Mr. KUNZIG. Of the United States Navy. And that you were at that time cleared, is that a correct statement? Would you care to affirm or deny that?

Miss GRIER. I decline to answer that question, sir.

Mr. KUNZIG. Isn't it a fact that you were for a time suspended from duty and then restored to duty again?

Miss GRIER. I decline to answer that question too, sir.

Mr. KUNZIG. At the hearing that you had, and the investigation has shown that you had, isn't it a fact that you did not testify under oath?

Miss GRIER. I decline to answer that question too, sir.

Mr. KUNZIG. Did you at that time deny or affirm Communist Party membership?

Miss GRIER. I decline to answer that question too.

Mr. SCHERER. Isn't it a fact, Miss Grier, that during that hearing when you were not under oath you actually denied at that time membership in the party?

Miss GRIER. I decline to answer the question, Congressman.

Mr. SCHERER. Wasn't your clearing partially the result of your denial of membership in the Communist Party at that time?

Miss GRIER. I decline to answer that question.

Mr. KUNZIG. Actually, isn't it a fact that during that period of time you were a member of the Communist Party reporting regularly to the party while you were working for the United States Armed Forces?

Miss GRIER. I decline to answer the question, sir.

Mr. VELDE. Did you ever discuss any of your difficulties at that time when you were being heard by the loyalty board of the Navy with any Communist Party member?

Miss GRIER. I decline to answer that, Mr. Velde.

Mr. KUNZIG. Did the Communist Party contribute to your defense or to any legal representation that you may have had at that time?

(At this point Miss Grier conferred with Mr. Rand.)

Miss GRIER. I decline to answer that question, sir.

Mr. KUNZIG. No further questions, Mr. Chairman.

Mr. VELDE. Mr. Clardy, do you have a question?

Mr. CLARDY. Witness, I take it that you are at least fairly familiar with the nature of the Communist philosophy and theory of Government; aren't you?

(At this point Miss Grier conferred with Mr. Rand.)

Miss GRIER. I decline to answer that, sir.

Mr. CLARDY. Do you have any knowledge whatsoever about communism as a theory of government or a theory of man's relationship with his fellow man?

(At this point Miss Grier conferred with Mr. Rand.)

Miss GRIER. I would decline to answer that too, sir.

Mr. CLARDY. Do you deny professing any adherence to the philosophy of communism? Do you understand my question? You knit your brow there, I see. Perhaps that is cloudy.

Miss GRIER. I will decline to answer that too, sir.

Mr. CLARDY. I will put it a little more clearly and bluntly, then; do you believe in communism as a system of government?

Miss GRIER. I will decline to answer that too, sir.

Mr. CLARDY. That is all I have.

Mr. VELDE. Mr. Scherer, do you have a question?

Mr. SCHERER. No further questions.

Mr. VELDE. Mr. Moulder?

Mr. MOULDER. No further questions.

Mr. VELDE. I might be able to clear up one point, and that is with reference to your refusal to answer questions relative to Communist Party membership.

Up until the time you came into this hearing room you had during the course of the hearing denied Communist Party membership at the present time. I am very much interested in knowing if you intend to join the Communist Party after you leave this hearing room.

Miss GRIER. I certainly do not, sir.

Mr. VELDE. Or rejoin it.

Miss GRIER. I decline to answer such a question, sir. It has implications.

Mr. VELDE. It surely does. In other words, you insist that you are not a member of the Communist Party at the present time but you

cannot answer to clear up the confusion here in our minds as to why you refuse to answer about your Communist Party membership in the past from this moment back through the years, and yet you say you are not a member of the Communist Party at the present time nor intend to be. Could you give your reason for that type of testimony?

(At this point Miss Grier conferred with Mr. Rand.)

MISS GRIER. Well, I have understood, sir, from advice of counsel, of my rights and privileges and I have tried to consider each question you asked me and in my judgment I must decline. I make no inferences. I seek to leave no impression of any kind. I do decline. I would decline to answer why I believe even—

MR. VELDE. Is there anything further, Mr. Counsel?

MR. KUNZIG. Nothing further this morning, sir.

MR. CLARDY. May I ask one or two more questions, Mr. Chairman?

MR. VELDE. Yes, Mr. Clardy.

MR. CLARDY. You say you are not presently or rather you are not a member today. What do you or how do you define the word "member"?

MISS GRIER. I decline to answer that.

MR. CLARDY. What?

MISS GRIER. I would decline to answer that.

MR. CLARDY. I am asking you about a word that I have heard used by you in your own answers, and I think we are entitled to know what you mean. By "membership" do you mean a card-carrying factor as being necessary, or do you have something else in mind when you use the word "member" in saying that you are not today a member?

MISS GRIER. Mr. Clardy, I am not, in any way that I understand membership of the Communist Party, a Communist today.

MR. CLARDY. My question was as to what you understand by membership as you use that word.

MISS GRIER. Somebody who is a member of the Communist Party. I haven't used the word, so far as I know.

MR. CLARDY. That is all, Mr. Chairman.

MR. SCHERER. Let me ask this question. Your question suggests one to me. Are you under Communist discipline as of today?

MISS GRIER. What do you mean "as of today"? Is there an implication in this?

MR. SCHERER. You know what Communist Party discipline is; under the directives and the orders of the party.

MISS GRIER. Sir, I am acting under no one's directions or instructions except my employer's.

MR. SCHERER. Well, were you under Communist Party discipline yesterday?

MISS GRIER. I would decline to answer that question, sir.

MR. MOULDER. In the beginning of your testimony you mentioned the name of your brother-in-law.

MR. RAND. I think counsel mentioned it.

MR. KUNZIG. Weinzirl was the name.

MR. MOULDER. That was the brother-in-law?

MISS GRIER. Yes. Some name was mentioned by Mr. Kunzig.

MR. MOULDER. Have you ever been married?

MISS GRIER. I have not.

Mr. MOULDER. Have you ever gone by any other name than the present name you have?

Miss GRIER. I have not.

Mr. MOULDER. That is all I have, Mr. Chairman.

Mr. VELDE. The witness is excused and the meeting will stand in adjournment until Monday morning at 10:30.

(Whereupon, at 12:03 p. m., the hearing was recessed until 10:30 a. m. Monday, April 20, 1953.)

COMMUNIST METHODS OF INFILTRATION

(Government—Labor)

THURSDAY, MAY 14, 1953

UNITED STATES HOUSE OF REPRESENTATIVES,
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D. C.

PUBLIC HEARING

The Committee on Un-American Activities met, pursuant to call, at 10:45 a. m., in room 429, Old House Office Building, Hon. Harold H. Velde (chairman) presiding.

Committee members present: Representatives Harold H. Velde (chairman), Bernard W. Kearney (appearance noted in transcript), Donald L. Jackson, Kit Clardy, Gordon H. Scherer, Francis E. Walter, and Clyde Doyle (appearance noted in transcript).

Staff members present: Robert L. Kunzig, counsel; Frank S. Tavenner, Jr., counsel; Courtney E. Owens, investigator; Leslie C. Scott, research analyst; and Thomas W. Beale, Sr., chief clerk.

Mr. VELDE. The committee will come to order.

Let the record show present are Mr. Jackson, Mr. Clardy, Mr. Scherer, Mr. Walter, and the chairman, Mr. Velde, a quorum of the full committee.

Proceed, Mr. Counsel.

Do you have a witness?

Mr. TAVENNER. Mr. Amos Heacock.

Will you be sworn, please?

Mr. VELDE. In the testimony you are about to give before this committee, do you solemnly swear you will tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. HEACOCK. I do.

Mr. TAVENNER. Be seated.

Mr. VELDE. Be seated.

TESTIMONY OF AMOS HEACOCK

Mr. TAVENNER. What is your name, please?

Mr. HEACOCK. Amos Heacock.

Mr. TAVENNER. Will you spell Heacock?

Mr. HEACOCK. H-e-a-c-o-c-k.

Mr. TAVENNER. Are you accompanied by counsel?

Mr. HEACOCK. No; I am not. I don't—don't need counsel, sir.

Mr. TAVENNER. It is the practice of this committee to permit and to encourage every witness to be accompanied by counsel if the witness desires it, and you will be free at all times to consult with counsel if you desire to do so.

Mr. HEACOCK. I understand that. The committee has been very fair to me.

Mr. TAVENNER. Where do you now reside, Mr. Heacock?

Mr. HEACOCK. I reside at 2774 70th SE., Seattle, Wash.

Mr. TAVENNER. Where and when were you born?

Mr. HEACOCK. I was born in Los Angeles, Calif., on November 18, 1914.

Mr. TAVENNER. What is your present occupation?

Mr. HEACOCK. The present occupation is executive of Air Line Services, a maintenance firm.

Mr. TAVENNER. Before asking you what your record of employment has been, I would like for you to tell the committee in a general way what your educational training has been, both your general educational training and specific training for your occupation.

Mr. HEACOCK. My general educational background is this: I have—

(Representative Francis E. Walter returned to the hearing room at this point.)

Mr. HEACOCK. I went to high school in Los Angeles and, although I wanted to go to college, I had to go to work in 1932, and I found myself originally in construction work; in 1940 applied to get into the United States Air Force as an aviation cadet.

(Representative Francis E. Walter returned to the hearing room at this point.)

Mr. HEACOCK. Without the 2 years of training, 2 years of college, I had to pass an examination covering an equivalent, which I did, and was called to duty in March of 1941.

I graduated from aviation cadet training the week of Pearl Harbor, and I spent 6 years in the Army Air Force, or in the Air Force, before, during, and after World War II.

That's—

Mr. TAVENNER. Now, you were in the armed services between March 1941, and some date in 1947?

Mr. HEACOCK. January 1947.

Mr. TAVENNER. January 1947.

I have before me your military record, which was a distinguished one. I believe you served in the Air Force in a number of different theaters.

Mr. HEACOCK. That is correct. I served in the North African, Middle East, Sicily, Italy—in the campaigns; Pacific theater—Saipan, Guam, Philippines, into Japan, China.

Mr. TAVENNER. And I note that you were awarded the air medal with oak-leaf cluster.

Mr. HEACOCK. That is correct, sir.

Mr. TAVENNER. Now, will you tell the committee, please, what your record of employment has been and describe your employment from 1935 until the time you went into military service in March 1941?

Mr. HEACOCK. Well, I'll try to get the dates as close as I can from recollection. It's some 17 years ago.

I believe it was sometime in 1935 that—that I managed a laundry business, small laundry business, which went—went out of existence. It was a small Government contract, and thereafter I was unemployed for a period of time; and, finally, located a job on the Colorado River

aqueduct, which was being built by the Metropolitan Water District of Los Angeles at that time.

Mr. TAVENNER. Now, let me interrupt at that point.

Can you state when your unemployment began and when it terminated?

Mr. HEACOCK. I'm afraid—

Mr. TAVENNER. With respect to dates.

Mr. HEACOCK. I'm afraid—afraid I can't tie it down that closely.

Mr. TAVENNER. Can you approximate the time?

Mr. HEACOCK. Well, I think I must have been unemployed for at least a 6 months' period, from the time I wound up this small laundry venture, until I was able to go to work on the aqueduct some time in 1936, I believe. As I say, these dates are a little hazy after a period of time.

Mr. TAVENNER. Then you became employed during the year 1936 by the city of Los Angeles?

Mr. HEACOCK. By the Metropolitan Water District.

Mr. TAVENNER. Oh, yes.

Mr. HEACOCK. Yes.

Mr. TAVENNER. How long did you remain employed in that position?

Mr. HEACOCK. I can't recall. It continued through a great deal of 1936, until—until I was elected a traveling financial secretary by the union that was organized at Banning on the aqueduct.

Mr. TAVENNER. What was the name of the union?

Mr. HEACOCK. The Tunnel, Subway, and Aqueduct Workers' Union.

Mr. TAVENNER. Was it an affiliate of the CIO?

Mr. HEACOCK. Yes; it was affiliated with the CIO.

Mr. TAVENNER. What was the nature of your employment by the union?

Mr. HEACOCK. The nature of my employment was to be a traveling financial secretary, to collect dues and establish sort of sublocals along the rest of the aqueduct at certain camps from Banning, out the aqueduct toward the terminus at Parker Dam. In connection with that, why, I organized these camps into the local union that was based at Banning.

Mr. TAVENNER. How long did you remain so employed?

Mr. HEACOCK. The best way I can tie down that date is that I believe it was some time after the first of the year, into 1937.

Mr. TAVENNER. Were you an organizer for the Mine, Mill, and Smelter Workers' Union?

Mr. HEACOCK. No, sir; I was not. I was an organizer for the local at Banning, and the local was affiliated with the Mine, Mill, and Smelter Workers' Union.

Mr. TAVENNER. Then, as I understand it, this position that you had as an organizer of local unions was actually for an affiliate of the Mine, Mill, and Smelter Workers' Union—

Mr. HEACOCK. Yes. That is the local of the Mine, Mill, and Smelter Workers' Union; yes.

Mr. TAVENNER. And you remained employed then in that capacity from a date in 1936 on up into 1937.

Now, can you tell us how late in 1937 you were so employed?

Mr. HEACOCK. I find it difficult to tie down the time exactly. What I am referring to in my own mind is the fact that in leaving Parker

Dam one time—about the time I left employment with the union—I was picked up for having out-of-date license plates. So, I recall that as being right after the first of the year sometime.

Mr. TAVENNER. Well, what was your next employment?

Mr. HEACOCK. There were small jobs that I can't recall, and most important of which was working with the American Can Co. in Los Angeles.

Mr. TAVENNER. When were you employed by the American Can Co.?

Mr. HEACOCK. Sometime in 1937 or 1938. I can't place it any closer than that in my own mind.

Mr. TAVENNER. And how long were you employed by the American Can Co.?

Mr. HEACOCK. I'd have to estimate it. I estimate it about a year. I could be very wrong on that, but it's just my recollection.

Mr. TAVENNER. Well, where did you reside during the period from the early part of 1937 until your work with the American Can Co. was terminated?

Mr. HEACOCK. Well, my family resided at—at various addresses in Los Angeles. I believe I can recall that the earliest period—I think I lived at 3636 8th Avenue, I believe, and later on I lived at a 17th Street address, and still later—I can't recall the address—in southwest Los Angeles.

Mr. TAVENNER. Can you recall the nature, general nature, of your employment between the time you left Parker Dam and acceptance of the job with American Can Co., or were you employed in that interval?

Mr. HEACOCK. I was mostly unemployed during that interval. I tried to get certain construction work that—wasn't able to—to get certain jobs around Los Angeles, including work on the Los Angeles River paving job. I believe I worked for a short period for the Borden's Dairy, and I guess the longest period of employment during that period was with the American Can Co.

Mr. TAVENNER. Well, at the time—during this period of unemployment, of which you have just spoken, and during the time you were with the American Can Co.—were you still affiliated with your local union as an organizer?

Mr. HEACOCK. No, sir; I was not. Actually, my job wasn't supposedly an organizer, but that's exactly what it turned out to be when I started to take union dues, and so forth, along the aqueduct; but—

Mr. TAVENNER. Did you work in an effort to organize a union with American Can Co.?

Mr. HEACOCK. No, sir; I did not. The union was already there when I came to American Can Co.

Mr. TAVENNER. Yes; but prior to your coming to American Can Co., did you do any work of any character with reference to the organization of the union there?

Mr. HEACOCK. No, sir. In fact, I never did any union organization work at any time after Parker Dam.

Mr. TAVENNER. Well, what was your employment after leaving American Can Co. in 1938?

Mr. HEACOCK. Until leaving American Can Co. in 1938, or thereabouts, as closely as I can recall, it was sometime in 1939, probably early in 1939, that my parents moved to Washington State after the death of my brother, and I took my mother to Washington State. Then I went to work on some construction jobs in the Central Valley

project of California, tunnel work, and one job in Utah, and worked a little at the Grand Coulee Dam project in Washington, a little reinforcing iron work out of Seattle and, finally, I believe it was in 1940—I believe there was a great deal of unemployment during that period—it was in 1940 that I couldn't find work in Seattle, and also for personal reasons I wanted to leave Seattle, and I went down to California to look for a job.

Mr. TAVENNER. What part of California?

Mr. HEACOCK. Los Angeles.

Mr. TAVENNER. Did you find employment there?

Mr. HEACOCK. I did a few days' work in reinforcing iron work, and finally I went to work for Lockheed Aircraft Co.

Mr. TAVENNER. When did you go to work for Lockheed Aircraft Co.?

Mr. HEACOCK. I can't recall exactly, but it was in the latter half of 1940, somewhere.

Mr. TAVENNER. How long did you remain employed there?

Mr. HEACOCK. About 3 weeks.

Mr. TAVENNER. What was your next employment?

Mr. HEACOCK. My next employment was working for the State of Washington.

I had earlier taken examinations as a junior accountant for the State of Washington, and while I was in California I was notified to come to work; and, after December 1940, when I finished a CPA training course at the Metropolitan Airport, Van Nuys, I went to Seattle and took a job with the Division of Unemployment Compensation and Placement, State of Washington, at Olympia.

Mr. TAVENNER. Did you remain there in that work until you went into the armed services?

Mr. HEACOCK. Yes, sir; I did.

Mr. TAVENNER. You've told us about the period of time you were in the armed services. So, will you tell us what the nature of your occupation has been since your discharge in January 1947 from the Armed Forces?

Mr. HEACOCK. Yes. While still with the Air Transport Command—the first part of the war I spent with Troop Carrier Command—while I was still operating across the Pacific on the routes of the Air Transport Command to Tokyo, after VJ-day, I began to look around for an opportunity to go into business for myself in the field of air transportation; located some aircraft at Guam that had been declared surplus because of tornado damage. I was able to gather a group of fellows together that were also operating on these trans-Pacific routes of the Air Transport Command to buy these aircraft; also purchased a PBV at Honolulu.

So, while I was on terminal leave, which was during December and the early part of January, I proceeded to Honolulu with a couple of other boys associated with me. There I obtained housing for the boys and their families.

I had some 10 partners in this enterprise.

Mr. TAVENNER. May I suggest you not go quite as much in detail as to matters relating to your associates merely in the interest of saving time.

Mr. HEACOCK. I see.

I organized this—

Mr. VELDE. Mr. Counsel, is this a convenient breaking-off place?

Mr. TAVENNER. I believe if you could go just a little further it would be to our—

Mr. CLARDY. Well, the rollcall¹ can't wait.

Mr. TAVENNER. All right.

Mr. VELDE. So, we will recess, I think, for 20 minutes. I think we should be able to be back here in 20 minutes.

The committee will be in recess for 20 minutes.

(Whereupon, at 11:15 a. m., the hearing was recessed, to reconvene at 11:35 a. m.)

(The hearing reconvened at 11:43 a. m., the following committee members being present: Representatives Harold H. Velde (chairman), Donald L. Jackson, Kit Clardy, Gordon H. Scherer, and Francis E. Walter.)

Mr. VELDE. The committee will be in order.

Proceed, Mr. Counsel.

Mr. TAVENNER. Mr. Heacock, how long were you engaged in the business of air transportation in Hawaii?

Mr. HEACOCK. I never engaged in the business of air transportation in Hawaii. My partners and I repaired the aircraft at Guam, using Hawaii as a base, and also repaired PBY's at Honolulu and sold these aircraft, with which we raised some more money to enter into the air-transportation business later on.

Mr. TAVENNER. All right; then, when did you enter into air-transportation business in this country?

Mr. HEACOCK. Well, early in 1948—March of 1948—I liquidated the partnership at Honolulu—a very profitable venture—and we took the proceeds, and about four of my previous associates in the partnership went with me into an air-transportation venture at Seattle, operating to Alaska. This I organized or incorporated in May of 1948. We began our first operations in July.

Mr. TAVENNER. And what was the name of the company?

Mr. HEACOCK. The name of the company was Air Transport Associates.

Mr. TAVENNER. And how long did you engage in that business?

Mr. HEACOCK. I engaged in that business as operating head until the 24th of last month, when the carrier had its letter of registration removed by the Civil Aeronautics Board, and it went out of business in common-carrier operations to Alaska.

Mr. TAVENNER. During that period of time, did you hold any position in any air transportation association, other than the corporation of which you were the head?

Mr. HEACOCK. Yes; I became president of an association. Do you mind if I tell you the circumstances surrounding that?

Mr. TAVENNER. Well, I don't know as the committee would be interested in your going into too much detail.

Mr. VELDE. Briefly, I think.

Mr. TAVENNER. Yes.

Mr. VELDE. I think briefly.

Mr. TAVENNER. If you just state briefly what the organization was, and over what period of time you were connected with it.

¹ Rollcall vote on floor of the House of Representatives.

Mr. HEACOCK. The Aircoach Transport Association was organized in Miami by a group of Miami carriers. I heard about it in Alaska, where I had moved my family. I proceeded to New York. The first national meeting that they had occurred on the very same day as the invasion of Korea, and immediately thereafter I went to Washington where I, knowing airlift from the last war and how important it was—I got in touch with the Pentagon and started coordinating the shipment of bazooka ammunition and bazookas and tank parts, so forth, by my own and other nonscheduled lines to the west coast for transshipment on the four-engine airplanes to Korea.

I was tremendously concerned with the outbreak of the——

Mr. TAVENNER. Well, now, excuse me; rather than to go so much into detail, if you will, just outline briefly, please, what you have to say with regard to your organization, because I am afraid in the interest of time we cannot go so much into detail.

Mr. HEACOCK. When I was in Washington coordinating these movements, a couple members of the board of directors of Aircoach came to me in Washington and asked me if I would run for president of the association, believing that I had the time and ability to put it over, and I told them that the first thing any such association would have to do would be to get a contract with the military and go fully into the expansion of an airlift reserve for the national defense to meet such emergencies as this Korean one.

Of course, when I did take over, one of the first things I did was to proceed to the Pentagon, negotiate an agreement in November of 1950, sent the first letter which developed into a contract for these carriers which they are operating under at the present time.

Mr. TAVENNER. And your company was one of those that operated in that regard?

Mr. HEACOCK. Yes, sir. In fact, I'm proud to say just as soon as the call came from Korea—you will recall that the first man that was killed was a man that had been shot from a Russian-type tank as he peeped from his foxhole to see what good his bazooka had done. Of course, they were using 2½-inch bazookas, and they needed the 3½-inch bazookas to stop the tanks. Of course, when we first heard of the need of getting that ammunition over there, CAA said we couldn't land on airports because of the explosive difficulty, and I called up the CAA and said, "Look, this has got to be done, and my airplane is on the way to Fort Dix right now. You can get a CAA man there immediately and we'll get this ammunition under way."

My own company and one other, I believe, were the first ones into the movement. I am proud to say none of my pilots objected to carrying enough ammunition to blow up an airport, much less an airplane.

Mr. TAVENNER. Well, now, after you negotiated your contract which your company and other similar companies operated under, it was necessary in the performance of your work under those contracts to have rights of entry and departure through military installations in this country as well as abroad.

Mr. HEACOCK. That is correct.

Mr. TAVENNER. Isn't that true?

Mr. HEACOCK. You see, the right to secure traffic on military installations was already in the hands of the railroads, the bus association, and the scheduled airline association. We requested it for the nonsched-

uled association and received it. It now amounts to over 50 percent of the business of the independent carriers.

Mr. TAVENNER. Therefore, the work of these particular independent carriers was integrated with that of the military craft and used military installations?

Mr. HEACOCK. It was—it is primarily the movement of troops between military installations in the United States, and especially to ports of embarkation at Seattle and San Francisco and returning these men from the ports of embarkation to their homes.

Mr. TAVENNER. Now, let us go back to an earlier period in your experience in Los Angeles. You have advised the committee that there was a period of time when you were a labor organizer at Parker Dam, and prior to your becoming employed by the American Can Co. During that period of time, when you were an organizer, did you become acquainted with a person by the name of Frank Carlson?

Mr. HEACOCK. No, sir.

Mr. VELDE. Mr. Counsel—

Mr. HEACOCK. I don't recall that name, sir.

Mr. VELDE. Mr. Counsel, was the witness an organizer for the Mine, Mill, and Smelter Workers?

Mr. TAVENNER. He was organizer, according to his testimony, for a local which was affiliated with the Mine, Mill, and Smelter Workers, if I understood his testimony correctly.

Mr. HEACOCK. Yes, sir.

Mr. SCHERER. That is what he said.

Mr. TAVENNER. Yes, sir.

Were you acquainted with a person by the name of Jack Olson?

Mr. HEACOCK. I don't recall the name, sir.

Mr. TAVENNER. In the course of your work as an organizer, or otherwise, did you become acquainted with a person by the name of Roy McCoy—M-c-C-o-y?

Mr. HEACOCK. No, sir; I did not, not in connection with this organization on the aqueduct. I later became acquainted with Mr. McCoy.

Incidentally, I didn't recall the name to my mind, but the investigator showed me a photograph and I—I said I did recognize the photograph as one that I had met.

Mr. TAVENNER. Where did you meet Mr. McCoy?

Mr. HEACOCK. This was after my organizational activity at—along the aqueduct. In fact, people like Mr. McCoy were evidently attracted to me because of my organizational work.

As I understood it, at the time Mr. McCoy was the—a member of the Young Communist League.

Mr. TAVENNER. I will hand you at this point a photograph and ask you whether or not you can identify it as the person referred to by you as Roy McCoy.

Mr. HEACOCK. Yes; I can. Apparently this is a later photograph, but it is certainly the same individual.

Mr. TAVENNER. Now, what was the nature of your association with Mr. McCoy?

Mr. HEACOCK. Certain people that also worked at American Can Co. when I was there introduced me to Mr. McCoy in the course of social affairs and union affairs, and so on.

Mr. TAVENNER. Did you have any association with him in any work other than union affairs?

Mr. HEACOCK. I never engaged in any other activity. I met these people because they were members of the union and, of course, at that time in 1937 and 1938 there wasn't a question of loyalty or anything of that nature in my mind, because at that time the conditions were so different that it wasn't apparent to the average person that these people should be avoided.

Mr. TAVENNER. You spoke of Mr. McCoy as having been a member of the Young Communist League.

Mr. HEACOCK. I said that I assumed he was because he apparently—apparently was; yes.

Mr. TAVENNER. Well, what was the basis of your knowledge of his membership in the Young Communist League?

Mr. HEACOCK. Well, his statements and his attempt to have me come to social functions, and so forth, which were attended by other people that—that freely admitted they were members of the YCL.

Mr. TAVENNER. Well, did you attend any meeting of the Young Communist League with him or others of the group that you referred to?

Mr. HEACOCK. I have met with members of these groups at their homes, and usually in connection with the union with which I was affiliated at the time—the Steelworkers' Union—at the American Can Co.

Mr. TAVENNER. Did you become acquainted with Mat Pelman?

Mr. HEACOCK. Yes; I recognize that name.

Mr. TAVENNER. Was he one of this same group to which you have referred?

Mr. HEACOCK. Yes, sir; he was. —

Mr. TAVENNER. Did you know him as a member of the Young Communist League or the Communist Party?

Mr. HEACOCK. I knew him as an official of the Young Communist League.

Mr. TAVENNER. On what do you base your information?

Mr. HEACOCK. Well, principally that he seemed to be giving information and directions to other YCL people.

Mr. TAVENNER. Did you become acquainted with a person by the name of Lou Rosser—L-o-u R-o-s-s-e-r?

Mr. HEACOCK. Yes, sir; I did. I couldn't recall the name until the investigator advised me that Mr. Rosser was a Negro, and then I remembered—readily recalled and tied the name and the man together.

Mr. TAVENNER. Well, what was the nature of your acquaintanceship with him?

Mr. HEACOCK. He appeared at certain social affairs—what may be called house meetings—that sort of thing—as—and was known as a member of the Young Communist League.

Mr. TAVENNER. Now, he was not a member of your union, was he?

Mr. HEACOCK. No; he was not.

Mr. TAVENNER. He was not employed by American Can Co., was he?

Mr. HEACOCK. No.

Mr. TAVENNER. Actually, he was the educational director of the Young Communist League, was he not?

Mr. HEACOCK. I didn't know that, sir.

Mr. TAVENNER. Were these meetings of the Young Communist League at which you said he appeared?

Mr. HEACOCK. Principally a social affair.

Now, there was a man in the same plant who would have me go out to a social affair, and there was Mr. Rosser, and certain of these others that you have mentioned.

Mr. TAVENNER. Well, how did you know that Mr. Rosser was a member of the Young Communist League unless you, yourself, were a member of the group—

Mr. HEACOCK. Well, I didn't.

Mr. TAVENNER. Or a member of the Young Communist League?

Mr. HEACOCK. I didn't, but there were very many that I knew who were also non-Communists that went to these groups. In fact, they represented themselves as a youth group, or youth organization, rather than as an out-and-out Communist group, and in that way attracted certainly many outside of their own membership to their functions.

Mr. TAVENNER. Were you acquainted with Margaret Campbell—C-a-m-p-b-e-l-l?

Mr. HEACOCK. I don't recall the name, sir.

Mr. TAVENNER. Ed Harris?

Mr. HEACOCK. I don't recall that name, sir.

Mr. TAVENNER. Were you acquainted with Virginia Kibre—K-i-b-r-e—the wife of Jeff Kibre?

Mr. HEACOCK. I don't recall that name either, sir.

Mr. TAVENNER. Jack Starr?

Mr. HEACOCK. No, sir; I can't recall that.

Mr. TAVENNER. Roy Spector?

Mr. HEACOCK. Yes; I recall Roy Spector very well.

Mr. TAVENNER. How was Roy Spector employed?

Mr. HEACOCK. He was also employed at the American Can Co. and frequently—in fact, most often—was the person that would get me to go to these other functions.

Mr. TAVENNER. Do you know whether he was an organizer for the local union in the steelworkers' group?

Mr. HEACOCK. I don't know that he was. He was active in union affairs. I can't recall whether he was an official or not.

Mr. TAVENNER. Did you know him as a member of the Young Communist League?

Mr. HEACOCK. Yes; I assumed that he was. Yes, sir.

Mr. JACKSON. Upon what was your assumption based?

Mr. HEACOCK. Well, he would take me to meetings at which there were other of these YCL'ers present, and he would admit to interest in this organization.

Mr. WALTER. What took place at these meetings?

Mr. HEACOCK. Well, principally, sir, Congressman Walter, they were mostly social—were educational—what they called educational material thrown in. Usually, you might have a social affair at somebody's home and there would be literature available on the table and—urging that you take it home—and also a lot of social activity with members of both sexes present; parties, dancing—that sort of thing.

Mr. WALTER. Combining business with pleasure, I take it?

Mr. HEACOCK. That is correct, sir.

Mr. WALTER. What was the business or what was the literature that was under discussion? The literature that was under discussion was Communist literature, wasn't it?

Mr. HEACOCK. Yes, sir.

Mr. WALTER. Do you remember any of the things that were discussed—any of the works; pamphlets?

Mr. HEACOCK. Well, I recall that there was an effort or an attempt to present this as a broad youth group or organization that would like to function as, what they called, a mass organization; and there was discussions of purposes of unions and discussions of—

Mr. WALTER. Methods of infiltration into unions—how Communists could take over the particular unions functioning in that community?

Mr. HEACOCK. Well, there was not that I can recall. There was more discussion of that in connection with your union activity. That is, if anything like that might come up as to stronger control over a union, why, it would come up in caucus meetings in connection with the unions, themselves.

Mr. SCHERER. Stronger control—

Mr. WALTER. What occurred at those caucus meetings?

Mr. HEACOCK. Well, there was—usually it had to do with internal union affairs, such as who was going to be elected. In fact, I believe that the American Can Co.—why, they would agree to support, you know, a non-Communist president of the union, or something of that nature, or would discuss union affairs—

Mr. WALTER. Then—

Mr. HEACOCK. Organizational work.

Mr. WALTER. When you learned that the company was going to endeavor to elect a non-Communist at these caucuses, you decided who would oppose that man, didn't you?

Mr. HEACOCK. No, sir; at—at that particular place, the American Can Co., they were supporting a non-Communist.

Mr. WALTER. A non-Communist?

Mr. HEACOCK. Yes; as far as I knew, he was a non-Communist.

Mr. WALTER. And then your group at the caucus selected somebody to oppose that candidate; isn't that correct?

Mr. HEACOCK. No, sir; they were supporting that candidate.

I am trying to—I would like to make it clear that this is just an informal group. I mean, I might go out after work and stop out at somebody's house and talk these union matters over, but I don't want to give the committee an impression that I didn't know that these people were YCL people. At that time, why, we just accepted that fact.

Mr. JACKSON. May I ask a question, Mr. Chairman?

Mr. VELDE. Mr. Jackson.

Mr. JACKSON. Mr. Heacock, on several occasions you have said—at least one occasion, as I recall—that there were non-Communists also attending these social affairs at which the literature was displayed. How do you arrive at the conclusion that they were indeed non-Communists?

You told us how you know that some of the people were Communists. On what do you base your statement that others there were non-Communists?

Mr. HEACOCK. Well, I've already said that I just assumed that certain people were YCL people and also others were not, because, for

example, after work Mr. Spector might pick me up and say, "Well, I want to go over here and pick up this Mexican fellow here that hasn't been involved in union activity and see if he wants to come along and go to this affair," and the discussions were all on the level of trying to promote a—what they called a mass organization of themselves and others, which would be what we would know as non-Communists.

I am trying to help the committee by pointing out in 1937 or 1938 that they apparently believed that they should join with all other groups—sort of a united-front idea.

MR. SCHERER. Who should join with all other groups? Whom do you mean?

MR. HEACOCK. Well, their own membership.

MR. CLARDY. Communist membership?

MR. HEACOCK. Yes; YCL membership.

MR. CLARDY. May I ask a question?

MR. VELDE. Mr. Clardy.

(Representative Francis E. Walter left the hearing room at this point.)

MR. CLARDY. How many members were in this outfit you called YCL?

MR. HEACOCK. I'm sure I don't know, Congressman Clardy.

MR. CLARDY. Well, you have told us that you knew roughly who were and who were not. So, you know the sum total. Now, on what basis can you divide it to help the committee get some idea how deep the infiltration was?

MR. HEACOCK. Well, I will say in the American Can Co. there were only two that indicated to me, as I recall it, that they were members of the YCL.

MR. CLARDY. Well, you must have had a pretty small social group if you only had two and had a party with both sexes present.

MR. HEACOCK. No, sir.

MR. CLARDY. Haven't you kind of forgotten—

MR. HEACOCK. No, sir.

MR. CLARDY. What you said a moment ago?

MR. HEACOCK. No, sir, Mr. Clardy. I pointed out there were certain union functions, and then I differentiated them from these broad—

MR. CLARDY. Well, it wasn't at the union—

MR. HEACOCK. Social groups—

MR. CLARDY. That the literature—the Communist literature—was distributed?

MR. HEACOCK. No, sir.

MR. CLARDY. All right; let's get to these meetings, then. How many people attended those meetings?

MR. VELDE. Now, you are referring to the meetings where Communist Party literature was distributed.

MR. CLARDY. As he has described it.

MR. HEACOCK. Oh, there might be from 7 to 15 people at a house party, or there might be a social affair thrown at which there was 25 or 30 people present.

MR. CLARDY. All right, now, how many meetings of that kind at which Communist literature was present and distributed did you attend?

Mr. HEACOCK. I think I attended 3 or 4 such meetings.

Mr. CLARDY. Was it the same crowd at each of those meetings?

Mr. HEACOCK. No, sir; it was not.

Mr. CLARDY. But at each of the meetings Communist literature was made available to all who attended, if I understand your testimony correctly; is that correct?

Mr. HEACOCK. What I assumed to be Communist literature; yes.

Mr. CLARDY. Well, you inspected it; didn't you?

Mr. HEACOCK. Yes.

Mr. CLARDY. You took some of it home?

Mr. HEACOCK. Yes, but none of this literature—this literature didn't seem to be so labeled. I am just using my——

Mr. CLARDY. Well, would you describe it, then, so we can determine whether your identification is correct?

Mr. HEACOCK. Well, Congressman Clardy, to be exact, 15 or 17 years ago I am sure I couldn't——

Mr. CLARDY. I don't want the title, just the general idea.

Mr. HEACOCK. The general idea was to extoll the virtues of the Soviet Union.

Mr. CLARDY. As against our Government?

That was the general idea, wasn't it?

Mr. HEACOCK. Well, I believe that's the general idea.

Mr. CLARDY. And wasn't there also mixed in with that literature some of the things Congressman Walter suggested a moment ago—some explanations as to how the Communist Party could best infiltrate and take over control of the unions?

Mr. HEACOCK. No; no, sir—not so much—not so much of that——

Mr. CLARDY. I didn't——

Mr. HEACOCK. In a YCL——

Mr. CLARDY. Ask you how much; I just asked you: Wasn't there some of that in the literature?

Now, your answer indicates there was. Suppose you tell me how much of that there was passed around.

Mr. HEACOCK. Well, I couldn't say, sir.

Mr. CLARDY. Well, you took some of it home, didn't you?

Mr. HEACOCK. Yes, sir.

Mr. CLARDY. And you read it?

Mr. HEACOCK. Yes, sir.

Mr. CLARDY. Were these meetings held at different homes?

Mr. HEACOCK. Yes.

Mr. CLARDY. The ones you attended?

Mr. HEACOCK. Yes, sir; they were.

Mr. CLARDY. And each one of the hosts supplied this same kind of literature at each of those homes?

Mr. HEACOCK. Well, it doesn't follow any certain pattern because, after all, I was only to about four of these meetings; but I would notice that what was supposedly a social affair—there was always some type of literature available for the people that had come to—to dance and have a party, and that sort of thing.

Mr. CLARDY. Are you right sure you didn't take some of it to the meetings?

Mr. HEACOCK. No, sir; I never did.

Mr. CLARDY. Never at any time?

Mr. HEACOCK. Never at any time.

MR. CLARDY. You didn't distribute any of it?

MR. HEACOCK. No, sir.

MR. CLARDY. That is all I have.

MR. TAVENNER. Did you become acquainted with a person by the name of Jack Starr?

MR. HEACOCK. I don't recall that name, sir.

MR. TAVENNER. Lil Chernin—L-i-l C-h-e-r-n-i-n?

MR. HEACOCK. I don't recall that name, sir. These names that you've given me—I find it very difficult to remember somebody I met yesterday, and this has been 15 to 17 years ago; but those that I can remember I certainly will identify.

MR. TAVENNER. Do you recall meeting a person by the name of Andy Chase—C-h-a-s-e?

MR. HEACOCK. No, sir; I do not.

MR. TAVENNER. W. B. Holther—H-o-l-t-h-e-r.

MR. HEACOCK. No; I don't recall Mr. Holther.

MR. TAVENNER. W. Simpson?

MR. HEACOCK. No, sir; I can't recall that name.

MR. TAVENNER. Do you recall having met, in connection with Communist Party matters or Young Communist League matters, any person by the name of Simpson?

MR. HEACOCK. No, sir; I've talked to the investigator on that subject and didn't recall the name at all. He told me, farther, that such a person was from Long Beach, and I said I might have known him then because I recalled somebody from Long Beach on certain occasions.

MR. VELDE. Mr. Counsel, at this point I think it might be well to put in a statement for the record and for the press that the names of the people you have been mentioning in questioning the witness have been previously identified as having some connection with the Communist Party through the YCL or otherwise.

Is that correct?

MR. TAVENNER. I am just about to read into the record testimony regarding that.

MR. W. B. Holther gave an affidavit to this committee in 1939, and in it he described his own activities in the Young Communist League and other matters relating to Communist Party activities. He was asked this question:

Can you now state, for the record, the names of the members on the County Council of the Young Communist League at the time you were affiliated with it?

to which he gave this answer:

At this time—that is to say in the summer of 1937—the County Council of the Young Communist League held regular fortnightly meetings at 224 South Spring Street. This address was also the address of the Communist Party.

The county council was a large organization of delegates from the different branches. Its leaders, however, I can remember. They included, in the period of which I am speaking, Frank Carlson, who was the State executive secretary; Jack Olson, head for Los Angeles County; Roy McCoy; Mat Pelman, who has since been transferred to trade-union work for the Communist Party; Lou Rosser, Negro leader soon to become one of the chief YCL organizers in the whole country; Margaret Campbell, at that time in charge of cultural activities; Ed Harris; Virginia Kibre, wife of Jeff Kibre; Jack Starr; Lil Chernin, a leader in student work; Andy Chase and Amos Heacock, presidents of leading branches.

Mr. HEACOCK. I would like to say, sir, I was never a president of any YCL group. That there is no question, and I am absolutely positive.

Now, I have discussed this matter with the investigator, and I do recall that during this period my brother told me at one time that he had been elected the chairman or the president of a YCL group somewhere on the south side. I—

Mr. TAVENNER. What was your brother's name?

Mr. HEACOCK. Joe Heacock.

Mr. TAVENNER. All right, proceed.

Mr. HEACOCK. He didn't usually—he didn't confide in me very much, but he told me that one day.

I had noticed he had been going around with a—with a young blonde girl that was—I don't recall her name, but she was at that time believed to be a YCL girl, and I believe that Mr. Holther—that's his name—may be referring to him.

I have never at any time had any official office with the YCL or any official activity, nor took any instructions whatsoever from any Communist group; and as far as union organizing, at which I was very, very successful, I did that entirely on my own previously and refused to undertake any union activity thereafter, although I was urged to do so.

Mr. JACKSON. Then, your contention is that this is very likely a case of mistaken identity in which your name has been confused with that of your brother?

Mr. HEACOCK. Yes, sir; in this case I believe it is a case of mistaken identity, because I was not a president of a YCL branch or any official of any branch, and I do recall that my brother did mention that he had been.

Mr. JACKSON. Well, if it develops that is the case, then, this hearing, from your standpoint, is a very good thing; if such a case of mistaken identity has occurred, don't you feel that that is the case?

Mr. HEACOCK. Yes, sir.

I don't want to give the committee an impression that I didn't openly associate with these people, because I did; but I'd like the committee to give consideration to the fact that I was somewhat—these people were somewhat attracted to me, rather than I to them, because I had come off the aqueduct a successful labor organizer, a young fellow, and my name was much better known than my brother's, and I assume if Mr. Holther knew a Mr. Heacock he would assume it was Mr. Amos Heacock because I was much better known than my brother.

Mr. VELDE. Are you sure you haven't made a mistake there in your testimony?

I just want to make it clear in my own mind. Did you say you were more attracted to them, the men in the YCL?

Mr. HEACOCK. No; they were more attracted to me. In fact, I never—

Mr. VELDE. In other words, they were the ones interested in getting you into it instead of you being interested in them?

Mr. HEACOCK. That's right. In other words, I was well under way with a very successful labor-organizing work before I met the first person that assumed or admitted to being a Communist.

Mr. VELDE. I had the opposite understanding from your testimony. I am glad you cleared it up for me.

Mr. CLARDY. Mr. Chairman, may I ask a question?

Mr. VELDE. Mr. Clardy.

Mr. CLARDY. Can you give us a better identification of the Young Communist League fraction or unit to which your brother belonged?

You said it was south Los Angeles, but that is a little bit vague. Los Angeles, as Mr. Jackson knows, is a very large community.

Mr. JACKSON. A very fine community.

Mr. CLARDY. Oh, yes; I agree with you, sir. I like its climate very much.

Mr. HEACOCK. You will have to bear with me, Congressman Clardy. That's a long time ago, but I do believe it had something to do with the southwestern or southern, or something of that nature, as I recall it, referring to the southwestern part of the city, where evidently was—they had their meetings.

Mr. CLARDY. Now, you are very sure of that and sure it was not one known as the downtown unit?

Mr. HEACOCK. That is—that is correct, sir.

Mr. JACKSON. Would it have been the southwest section?

Mr. HEACOCK. Yes. Yes; it would be the southwest section. The girl friend that my brother was going around with was from the southwest section of the town there, and I understand that that's where he was seeing these people.

Mr. SCHERER. Were you and your brother living in the same home at that time?

Mr. HEACOCK. Yes, sir, Mr. Scherer; I—we were living in the same home.

Mr. SCHERER. I mean it was before either of you were married and you were living at home?

Mr. HEACOCK. That is correct.

Mr. SCHERER. And what was his first name?

Mr. HEACOCK. Joe, or Joseph.

Mr. SCHERER. And how old a man is he now?

Mr. HEACOCK. He was killed in an accident, sir.

Mr. SCHERER. He was killed?

Mr. HEACOCK. Yes, sir.

Mr. SCHERER. And how old would he have been? How much younger is he than you?

Mr. HEACOCK. Well, he was 2 or 3 years younger than I was.

Mr. JACKSON. Mr. Chairman.

Mr. HEACOCK. I believe he was about 19 at the time.

Mr. JACKSON. Mr. Chairman.

Mr. VELDE. Mr. Jackson.

Mr. JACKSON. I would suggest, in light of the death of the brother of the witness, that references to him in the record be stricken.

Mr. CLARDY. Wouldn't it be well, Mr. Jackson, if we wait until the record is completed?

Mr. JACKSON. Very well. I won't press the point.

Mr. VELDE. Yes; offhand, I agree with you.

Mr. CLARDY. I do, too.

Mr. JACKSON. I am willing to wait until the record has been made, and at that time see what steps should be taken.

Mr. SCHERER. But I think it is to this man's advantage, if there is a case of mistaken identity, that we determine that.

Mr. SCHERER. And the only way you can determine that is to determine who this brother was and how this mistaken identity took place, if it did take place.

Mr. JACKSON. That part of witness' testimony, I believe—the initial statement he made with respect to the identity of his brother—can very well remain in; but I think the subsequent material which follows on that is not essential to the making of the proper record.

Mr. SCHERER. Of course, when I asked the question I didn't know his brother was dead.

Mr. CLARDY. Well, of course, none of us did; but until the record is completed I think we might as well reserve that, Mr. Chairman, because some other unexpected development may come along.

Mr. VELDE. Yes.

I would like to say, too, membership in the YCL back in 1937, 1938, and 1939—while the plans to use the YCL by the American part of the Communist Party and by Soviet Russia were probably pretty well organized and under way, there were a great many good American citizens at that time who didn't realize that membership in the YCL was in any way anti-American.

Mr. SCHERER. I understand that. I just thought this was preliminary to something else counsel was going to develop.

Mr. VELDE. Well, if—

Mr. HEACOCK. Chairman Velde, if it had been as clear that the—as it is today—that the YCL was engaged in such activities and it—and that there was a question of loyalty to my own country involved, I would never have touched them with a 10-foot pole.

I've got a record that I'm proud of in serving my country; and, in fact, I've felt that after I came out of the Air Force and ran into a situation where I could be of aid to my country in organizing and developing an airlift reserve—I thought that was the thing that I should do, even at the considerable expense to my own family and to my own company.

There were—the record shows as of today, right now, there are a great number of airplanes organized into a reserve which is controlled out of Washington here, which I personally organized and developed and brought to its state now where it is available for any military emergency, available in case of an atomic bomb attack, or anything of that nature.

That is action that I have conducted in contrast to a very regrettable, very foolish and a very embarrassing association that I've had in the past, which I regret exceedingly.

Mr. VELDE. Yes. Well, I think we ought to say, too, that the investigation of YCL activities during the time the organization was functioning here in the United States is a legitimate duty of the committee in order to determine just what Soviet Russia has in the past done through its political and subversive organizations operating here in this country to destroy our constitutional processes; and I do say, in view of the law under which this committee operates—that is the law or the resolution providing that we should investigate subversive propaganda and activities and report to Congress for remedial legislation—that we are engaged in a legitimate function in making this particular inquiry.

Mr. HEACOCK. Chairman Velde, I entirely agree with you. I've suffered considerably from the undercurrent that has occurred for the past year and a half which hurt me. It reflected upon my loyalty since I became a member of Armed Forces of the United States, and—but I say that if I were in your position and had been in the field of antisabotage—

Mr. VELDE. I'm sure you wouldn't like to be in my position.

Mr. HEACOCK. I mean your position in the Armed Forces—antisabotage and counterintelligence—and found myself after the war—I would probably be engaged in somewhat similar activity; but it so happens that my experience throughout the war was in airlift—6 years of it—and when I got out and got into air transportation it seemed to me that the best function that I could perform, a patriotic function, for my country, was to try to build, against obstacles, an airlift that I know that we've got to have to fight communism throughout the world.

Mr. JACKSON. Mr. Chairman, I would like to say that I believe the YCL is certainly a proper area for investigation by this committee, in spite of the fact that it goes back quite a number of years, because perhaps no organization connected in any way with the Communist Party spawned quite the crop of espionage agents and current Communist leaders as did the YCL.

I think by finding out what went on in the YCL, who comprised its membership, how it was financed, how recruitment was carried on, we are in a much better position and the Congress will be in a much better position to know and appreciate the nature and extent of the present Communist Party which drew its leadership or which has drawn its leadership in large part from the ranks of the YCL.

Mr. VELDE. Yes; I concur with the gentleman in that statement, and I might make a little additional statement now.

The truth of the matter is the YCL, in a changed form, is presently in existence, as has been determined by this committee. It was first succeeded by the American Youth for Democracy and now has been succeeded by the Labor Youth League. That is, the group that now operates as the Labor Youth League is largely composed of membership that it got from the AYD when it was abandoned; and, similarly, when the YCL was abandoned, the AYD took over an overwhelming majority of its membership. So, actually when we go back to the YCL organization, we are actually investigating the founding of the present Labor Youth League.

Mr. CLARDY. I think I ought to point out, Mr. Chairman, something more. Most of us were not kidded or fooled into believing that it was a straightforward, upright, patriotic kind of an organization. I, for one, certainly was never taken in. I knew from the beginning that anything that had the name "Communist" tied in with it, as that outfit did, was just exactly what subsequent investigations have disclosed; and I think I am getting just a little weary of hearing the explanation given that at that time people didn't know, because they did. Most of us knew, commencing in 1917, when the Communists took over in Russia, exactly what they were. We lost a lot of boys, if you will remember, in the northern part of Russia as a result of the activities that took place then. No; I don't think I—

Mr. VELDE. Well, I am inclined to concur with you in this, Mr. Clardy: I think a great number of people—I hope a great majority of

the American people—never got mixed up with the Soviet subversive organizations; but I still insist a good many American citizens did not realize the subversive nature—

Mr. CLARDY. Well, most of them did.

Mr. VELDE. Or the intent of Soviet Russia in those years.

Mr. CLARDY. Most of those in recent years who have used that excuse had a pretty soft head, in my opinion.

Mr. SCHERER. It seems to me we are missing the point. The issue, it appears, is the fact that a witness some time in the past named this man here, this witness, as a president of a Young Communist League in the city of Los Angeles. He now indicates that that man was his brother. I think it is the duty of this committee to determine if there is a mistaken identity of this man—whether that is a fact—and if what this man says is true, he should be cleared as far as we are able to clear him.

Mr. JACKSON. Perhaps counsel has something further.

Mr. SCHERER. Well, perhaps he has.

On the other hand, I think it would help the situation in determining if there was a mistaken identity, or a mistake in identity, if we or the staff could pursue further the question as to the brother's activities and determine whether or not it was the brother.

Mr. CLARDY. Oh, yes; in fairness to this witness—

Mr. SCHERER. That is what I meant.

Mr. CLARDY. As well as to the brother.

I think we are all agreed on that.

Mr. TAVENNER. Mr. Heacock, it is true, is it not, that you attended meetings of the Young Communist League at 224 South Spring Street, Los Angeles?

Mr. HEACOCK. I have been to that address, which was the address of the Young Communist League at the time; but I don't recall ever having attended any meeting at that address.

Mr. TAVENNER. Well, what was the occasion of your appearing at that address?

Mr. HEACOCK. Well, the YCL man would pick me up on the street there, unemployed, usually looking around for employment in the employment agencies uptown, and they had their bookstore out in front, and I knew a girl there in the office; and several occasions—but I don't believe I went into the office as far as—any further than the counter there, where I talked to these people.

Mr. TAVENNER. Now, Mr. Lou Rosser testified in executive session before this committee—

Mr. SCHERER. What was that? I didn't hear your question.

Mr. TAVENNER. Mr. Lou Rosser testified in executive session before this committee on April 7, 1953, in Los Angeles. At that time Mr. Rosser advised—

Mr. JACKSON. Will you identify Mr. Rosser, please?

Mr. TAVENNER. Mr. Lou Rosser is the same person referred to in the affidavit of Mr. Holther and was described in that affidavit as a Negro leader soon to become one of the chief YCL organizers in the whole country; and Mr. Rosser admitted his activity in the Young Communist League up to 1944, when he then left the Communist Party. In the course of his testimony Mr. Rosser identified the persons named by William Holther in the testimony which I read a few moments ago, and he likewise identified Mr. Holther, himself, as hav-

ing been a member of that group. He also identified Amos Heacock as a member of the Communist Party and the YCL. He was then asked to elaborate on his testimony concerning Amos Heacock, where he met him, and the number of times, and what he remembered about him and Mr. Rosser's testimony was as follows:

Well, during 1936-37, when the CIO started to organize, the Communist Party—they urged its members, especially members of the Young Communist League and members of the Communist Party, to get jobs in factories and volunteer for organizers for the Communist Party, and they would become known.

I met Amos Heacock in the office of the Young Communist League. He was brought there by a member by the name of Roy Spector, who was a volunteer organizer for the steel organizing committee of the CIO, and at that time they were attempting to organize the American Can Co. Heacock was working in the American Can Co. Roy Spector had a job in the American Can Co.

Amos Heacock became a member of the downtown group of the Young Communist League and the youth unit of the Communist Party. I met him because of my job, because of the educational director of the Young Communist League and the faction—

f-a-c-t-i-o-n—Mr. Chairman, the word “faction” is used in this testimony, where it is my recollection that the word “fraction” is actually used, and I think that is a typographical error. So, I will read it both ways as we come to it.

and the faction [or fraction] to organize the union and, therefore, carry the Communist line into the unions; and I met with him as a person in the youth branch of the Communist Party downtown and the YCL branch.

Question. How many occasions would you say you met Mr. Heacock in the youth group of the Communist Party—the downtown youth group?

Mr. ROSSEY. Several. I knew him from 1936 to 1938, and then in 1938—the last of 1938—I went to New York to the national training school of the Communist Party, and then when I came back I didn't see much of him, I don't think, until around 1941 or 1942. I saw him for a while. I think he went into the Army. I saw him when he came out of the Army.

Question. Do you recall what rank he had in the Army?

Mr. ROSSEY. He was an officer in the Army.

Mr. JACKSON. These meetings you attended, however, were closed meetings?

Mr. ROSSEY. Oh, yes.

Mr. JACKSON. And only those who were members of the Young Communist League of the Communist Party were admitted to meetings?

Mr. ROSSEY. Well, some of the meetings, like it was a faction [or fraction] discussing the organizing drive of the American Can Co.—only those that worked in the American Can or the staff of the Communist Party or the Young Communist League could get into the meetings—not anti-Communists.

Mr. JACKSON. These were meetings confined solely to members? There were no non-Communists in attendance at the meetings?

Mr. ROSSEY. No.

Then, the questioning related to other individuals, and Mr. Rosser was then asked this question:

I would like to have you briefly review, to the best of your recollection, all the times that you met Amos Heacock as a member of the Communist Party or as a member of the YCL, and give approximate dates, if possible, and the location of the meetings as near as possible. I realize it is a long time ago.

Mr. ROSSEY. Just a minute. When you start fooling with dates, you see, you get yourself all—I can't remember, but I will say from 1936 up to 1938 I met and worked with Amos Heacock; and I met with him many times in the downtown group of the Young Communist League and in the downtown youth branch of the Communist Party.

I also met with him in faction [or fraction] meetings, discussing the work of organizing American Can.

The job of organizing the union in the American Can was the concentration point of the Young Communist League. That was one of our concentrations.

The American Can was over in the Negro community, and it was a concentration point of that group of Communists in the Young Communist League in that community.

I met with him on, I would say, 20 times. That is a small thing to say, but I would say 20 times in official capacity, as meetings in the Communist Party factions (or fractions) and the Young Communist League, although I met with him many times.

Question. Amos Heacock had some brothers. Can you recall them?

Mr. ROSSER. I can't recall them, but I knew them.

Question. You are not confusing Amos Heacock with any of the brothers?

Mr. ROSSER. No.

Question. Do you recognize this picture of anybody that you met as a member of the Communist Party?

Mr. ROSSER. This is Amos on the right.

Question. I would like to introduce that in the record as Rosser Exhibit No. 1.

Mr. JACKSON. It will be received.

(The document referred to was marked "Rosser Exhibit No. 1" and was received in evidence.)

Now, having refreshed your recollection, Mr. Heacock, by reading the testimony of Mr. Rosser, will you now tell the committee whether or not you were a member of the Young Communist League—

Mr. HEACOCK. I want to say—

Mr. TAVENNER. During the period between 1936 and 1938?

Mr. HEACOCK. I was not a member of the Young Communist League. I am quite familiar with the fact, before I came up here, that Mr. Rosser has charged me with being a member of the Communist Party, and very detailed statements that you have there; but I would like to point out some inconsistencies in that story.

First—

Mr. CLARDY. Well, may I interrupt for one question first, Mr. Chairman?

Mr. VELDE. Yes; go ahead.

Mr. CLARDY. Was your brother working at the American Can Co. along with you?

Mr. HEACOCK. No; he was not.

Mr. CLARDY. That is all I wanted to ask.

Mr. HEACOCK. I don't refer to this as a case of mistaken identity, because I knew Mr. Rosser. This is a different situation.

Mr. SCHERER. Well, before we get into this—I started to ask about the brother before, and I think it is important now. The witness indicated, on the basis of the testimony of the other witness before this committee, that it was his brother who was the member of the Young Communist League.

How old was your brother at that time?

Mr. HEACOCK. Around 19.

Mr. SCHERER. 1937?

(No response.)

Mr. SCHERER. In 1937—

Mr. HEACOCK. I think it was—

Mr. SCHERER. He was 19?

Mr. HEACOCK. I think it was 1937, or 1936; around there.

Mr. SCHERER. And he would have been 19 years of age?

Mr. HEACOCK. Yes.

Mr. SCHERER. What was he doing at that time?

Mr. HEACOCK. I believe he was working at Western Electric at the time.

Mr. SCHERER. And had he gone through high school?

Mr. HEACOCK. No, sir; he hadn't finished high school.

Mr. SCHERER. He hadn't finished high school?

Mr. HEACOCK. No.

Mr. SCHERER. How long had he been out of high school?

Mr. HEACOCK. I don't recall exactly.

Mr. SCHERER. And you were how old at that time, Mr. Heacock?

Mr. HEACOCK. I was——

Mr. SCHERER. In 1937?

Mr. HEACOCK. In 1937 I was about 22.

Mr. SCHERER. No. How old were you in 1937?

Take time to figure it out.

Mr. HEACOCK. Well, I was born in 1914. I guess that would be about 22 or 23, wouldn't it?

Mr. SCHERER. And he was 4 years younger than you, then?

Mr. HEACOCK. Well, in 1938 he was about 20; in 1937, about 19, as I recall it. He was killed when he was 20.

Mr. SCHERER. He was killed just about that time, then?

Mr. HEACOCK. I believe about—it was in 1938 that he was killed.

Mr. SCHERER. 1938.

Mr. HEACOCK. He suddenly quit his job without any explanation at Western Electric and went to Texas, and—without saying what his purpose was in going there. He tried to catch a freight train in San Antonio, going about 30–35 miles an hour, was thrown under the wheels; died in the hospital.

Mr. VELDE. Did you attend any YCL meetings after your brother died?

Mr. HEACOCK. I believe so.

I'd like to point out——

Mr. VELDE. Well, it seems to me, then, if we are to believe Mr. Rosser's testimony that there is no case of mistaken identity. He testified that the witness did attend Communist Party meetings after 1938 when he died.

Mr. HEACOCK. Mr. Chairman, I'd like——

Mr. VELDE. I can see no case of mistaken identity, but what worries me, Mr. Heacock, is that you are substantially calling the witness, Lou Rosser, a perjurer when he says that you belonged to the YCL and the Communist Party and you deny it.

I trust you realize that, of course.

Mr. HEACOCK. Well, sir——

Mr. SCHERER. Also the previous witness.

Mr. HEACOCK. Sir, I—I'd like to——

Mr. SCHERER. Pardon me.

What was the name of that first witness you mentioned?

Mr. TAVENNER. His name was W. B. Holther—H-o-l-t-h-e-r.

Mr. CLARDY. May I ask him another question, Mr. Chairman?

Mr. VELDE. Mr. Clardy.

Mr. HEACOCK. Could I——

Mr. CLARDY. Witness, the detailed testimony of Mr. Rosser makes it very apparent that the man he was talking about was employed at the American Can Co., was involved in union activity and that there are a great many other details that are going to be awfully troublesome to explain away if you are still insistent——

Mr. HEACOCK. Mr. Clardy——

Mr. CLARDY. Now, pardon me, if you are still insistent upon the mistaken identity theory.

Mr. HEACOCK. Mister—

Mr. CLARDY. Now, is it your position here today that everything Mr. Rosser has said about you is absolutely false and untrue?

Mr. HEACOCK. No, sir, Mr. Clardy. I have—

Mr. CLARDY. How much of it do you admit that he—

Mr. VELDE. Let the witness answer, Mr. Clardy, your first question.

Mr. CLARDY. Yes.

Mr. HEACOCK. Yes, sir. I have already answered on the record here that I didn't consider that this was a case of mistaken identity. I knew Mr. Rosser, and I—I assumed that he was a member of the YCL, and he had good reason to assume that I was a member of the YCL also because I appeared at these functions. However, he was incorrect.

In recalling the man, the investigator pointed out the name, and I said, "That sounds familiar, but I can't recall it."

And he mentioned that the man was a Negro, and I said, "Well, I recall that very well. I recall an incident in which Mr. Roy Spector came to me one day and he said, 'Mr. Heacock,' he says—he says, 'you are apparently chauvinistic.'"

Mr. CLARDY. Apparently what?

Mr. HEACOCK. Chauvinistic. [Continuing:]

"I said, 'What do you mean by chauvinistic?'"

"He says, 'Well you don't give consideration to the Negro people.'"

"I said, 'What are you referring to?'"

"'Well,' he says, 'Mr. Rosser complains that you don't—you didn't—you tried to avoid him and didn't treat him right,' referring to a time when he put his arm around me on the street and—in Los Angeles. I objected to it, and I thought it was undue familiarity, and I told Mr. Spector, whether he was a Negro or white man, I didn't like it—and that is how I recall Mr. Rosser."

I had met Mr. Rosser on occasion in the social affair where I found Negroes dancing with white women, and I guess I made it a little apparent that I didn't like it.

Mr. CLARDY. But you kept on going to the meetings; didn't you?

Mr. HEACOCK. Yes, sir. I went to certain functions and affairs at the time.

Mr. CLARDY. Now, do I understand, to come back to my original question, you are flatly denying the truth of the allegations or statements made by the other witness that you were an official in or took part in the activities of the Communist Party or the Young Communist group, however you may want to define it?

Mr. HEACOCK. I was not an official of the Young Communist League.

Mr. CLARDY. Well, were you—

Mr. HEACOCK. I would—

Mr. CLARDY. An official of any organization?

Mr. HEACOCK. No.

Mr. VELDE. Let's let the witness answer.

Mr. HEACOCK. I would like to point out the reason why I should be so closely associated here and yet not go into organizing for or taking any active part for any Communist group.

It occurred out on the aqueduct, and I had got to the point of Parker Dam, and at Parker Dam, where I was the financial secretary and organizer, there was trouble developed because the company had—their Mr. Frank Crowe went to Los Angeles and got A. F. of L. union

organizers and came back there and had angered the union men, and there was a strike.

Well, I had found that the couple of Communists and "Wobblies" that I knew there immediately deserted the area just as soon as the strike occurred, and the good American working men stayed on, manned the picket lines and ran their—ran their strike——

(Representative Clyde Doyle entered the hearing room at this point.)

Mr. HEACOCK (continuing). And I realized then I couldn't be involved in organizing in such a way that I would be accused of organizing for the Communists; and, although I was very successful up to that point, from that moment on I never performed any organizational function for any union or any Communist group, or anything of that nature.

I did hold myself open to—to learning more about this, because——

Mr. CLARDY. What do you mean by "this"? communism, you mean?

Mr. HEACOCK. Yes.

I did hold myself out to learning more about it.

What led me away from it was that—that disregard for the individual and the apparent happiness or the apparent satisfaction they got out of that struggle there at Parker Dam, where the only thing I had been proud of was the occasions previously where we had gone in and negotiated a dollar-a-day wage increase without any strike; and then to—to see such people having satisfaction with that as a—because of it being sort of a class struggle—and I didn't get any satisfaction at all—considered it a complete failure—I would thereafter—because I'll throw myself wholeheartedly, and fully and completely, into anything that I thoroughly believe in——

(Representative Bernard W. Kearney entered the hearing room at this point.)

Mr. HEACOCK (Continuing). As can be shown by my activities for this trade association, or for organizing a business, or anything else. I'm all out, and yet these people came to me and tried to get me involved a little more because they figured I would go out and organize again, organize a union, and I was capable of doing it——

Mr. JACKSON. Mr. Chairman——

Mr. HEACOCK. And I refused to——

Mr. JACKSON. I would like to go to the point——

Mr. VELDE. Yes; I think——

Mr. JACKSON. A couple of specific points—in the testimony.

Mr. VELDE. Yes.

Mr. JACKSON. In other words, we have the affirmative statement of an acknowledged functionary of the Communist Party that you sat in Communist Party meetings with him, meetings which were closed to all except members of the Communist Party, or of the Young Communist League. Is that statement true or false, Mr. Heacock?

Mr. HEACOCK. That's false, as far as I know it. I didn't recognize any such meetings as closed meetings.

Mr. JACKSON. Did you at any time ever use the name of John Hayden, or a name other than your own?

Mr. HEACOCK. No, sir; I didn't.

Mr. JACKSON. Did you ever hold a Communist Party card or book?

Mr. HEACOCK. No, sir.

Mr. JACKSON. Did you ever pay any dues to any person as membership dues in the Communist Party—

Mr. HEACOCK. No, sir.

Mr. JACKSON. Or of the Young Communist League?

Mr. HEACOCK. No, sir.

Mr. JACKSON. Did you attend in June of 1937 a summer planning conference of the Young Communist League in Workers' Alliance Hall, 1859 Filmore Street, San Francisco, Calif.?

Mr. HEACOCK. I attended such a meeting.

Mr. JACKSON. The summer planning conference—

Mr. HEACOCK. I didn't—

Mr. JACKSON. Of the Young Communist League?

Mr. HEACOCK. I didn't recognize it as such.

Mr. JACKSON. What did you think you were attending?

Mr. HEACOCK. Well, a convention of the YCL.

Mr. JACKSON. But you have never paid dues; you have never held a Communist Party card or membership card, or card in the Young Communist League, and you have never been in a closed session of the Communist Party or of the Young Communist League? How could you attend a convention?

Mr. HEACOCK. Well, I—not to my knowledge they were closed.

I would like to present at this time, a copy of which I have previously turned over to the investigator, something that has been circulating for a long time. It was circulated by Mr. John Mark, formerly with the Aircoach Transport Association, who was discharged by himself. He is affiliated with an influence-peddling organization in the Woodward Building, and I have the originals of what—

Mr. VELDE. Well, Mr. Heacock—

Mr. HEACOCK. He—

Mr. VELDE. May I remind you that you were called here today to give testimony—

Mr. HEACOCK. That's correct—

Mr. VELDE. Relative to your knowledge of subversive activities, and it has been the rule and custom of the committee to narrow our work down to that point as much as possible; and I would suggest, before going further, you allow the committee or me to examine it to see if there is anything in there relative to the work we are doing. If there is, I am certain we will be most happy to place that material in the file.

Now, we have other witnesses to hear, and I was hoping we could get through with this hearing before 1 o'clock.

Mr. Counsel, do you have any further questions to ask?

Mr. TAVENNER. Not a great many.

Mr. CLARDY. Counsel, are you familiar with this document he is talking about?

Mr. HEACOCK. Chairman Velde—

Mr. TAVENNER. Yes; I am.

Mr. CLARDY. Does it have any relevancy to what we are getting at?

Mr. TAVENNER. Well, it relates to the very matter that a committee member was just questioning him about—the use of, a possession of a Communist Party card and the use of a name.

Mr. CLARDY. Was it some affidavit?

Mr. TAVENNER. No; it is not. It is information apparently that was circulated relating to him by someone.

Mr. HEACOCK. I'd like to say—

Mr. CLARDY. Circulated publicly?

Mr. TAVENNER. Well, I wouldn't say publicly but rather widely among certain people, if I understand the situation correctly.

Mr. HEACOCK. I'd like to say, Mr. Chairman, it has been circulated to every scheduled airline in the country, and there is a man in this room, Mr. Robert Reeves, who has been spreading this information throughout Alaska, and—and he has had the—it's been in the hands of most everyone.

I'd like to say that——

Mr. VELDE. Well, the question is, though: Is this information we should have in our records? Is it information concerning subversive activities?

If the gentleman who mentioned this has some information, I am sure if he would consult with our counsel or our investigators we would be glad to take that and, if it is felt advisable, have a separate hearing.

Mr. TAVENNER. We are quite familiar with the information, and have gone into it.

Mr. JACKSON. It has been considered by the staff in working up the case?

Mr. TAVENNER. The staff; yes.

Mr. DOYLE. Well, Mr. Chairman, may I ask this: As long as our counsel says it is related to the very questions that Committee Member Jackson was asking it might be, it seems to me very pertinent that it be introduced in the record in the nature of an explanation, or whatever it is, at this point, in our printed record.

Certainly if this man is being falsely accused, this is the time for him to have an opportunity to put in his defense—not 6 months from now in a separate hearing, or 30 days from now.

I am strongly for this man if he has some explanation of the background of some question that Committeeman Jackson has asked him to get it in the record here.

That is what we have advocated—that a man come in and give an explanation of whatever the facts are.

Isn't that true?

Now, this man, I think, is entitled to that. We print this record, and he might be irreparably damaged before we can get around to this, after we print the record of this hearing.

Mr. VELDE. In all due respect, I suggest the gentleman hasn't been in the hearing room to hear the previous testimony——

Mr. DOYLE. That is true. I was on the floor of Congress.

Mr. VELDE. But I do feel the material should be examined, and we certainly should take advantage of anything Mr. Heacock has to offer relative to our work. However, at this point, I, personally, cannot see why we shouldn't proceed with the questions and get the answers from the witness relative to the purpose for which he was called here.

Mr. DOYLE. Well, I don't either, Mr. Chairman. The reason I wasn't here was because I was on the floor of Congress. Congress is in session this very minute, and I just left the floor.

Mr. CLARDY. Mr. Doyle, let me say——

Mr. HEACOCK. Mr. Velde, may I——

Mr. CLARDY. Pardon me, Mr. Witness. I have just examined the material, and it is more or less a repetition in writing of the things upon which the witness has been examined by counsel and by the

committee. It is put out by others, but it is substantially the same material; and I would see no reason, Mr. Chairman, why it should not be made an exhibit and then if the witness has some explanation, counsel can probably help him on it.

Mr. VELDE. Certainly.

Mr. HEACOCK. Mr. Velde.

Mr. VELDE. In the meantime, I suggest proceeding with the hearing and eliciting the answers to the questions that committee members or counsel have to put.

Mr. HEACOCK. All I would like to point out to the chairman is this: I have been engaged, since I became a president of the Aircoach Transport Association, in a very outstanding campaign against the scheduled lines, and in many respects against the CAB, and I'd like to point out that I have known for something like a year—at least since February of 1951—of these statements which you are—of the charges which you are questioning me on now. They don't come to me as any surprise at this particular moment. I have information here on most of what you have asked.

I would like to—

Mr. TAVENNER. Well, does what you are referring to include the testimony of Mr. Lou Rosser?

Mr. HEACOCK. I was aware that Mr. Lou Rosser had made charges; yes.

Mr. TAVENNER. But he only testified before the committee in April of 1953, not prior to February.

Mr. HEACOCK. Well, I am—

Mr. CLARDY. This is the first time the committee had any knowledge of that, Witness.

Mr. HEACOCK. I have been engaged in a campaign since 1949 to present the case of the independent air carriers against what I consider to be a monopoly of the large scheduled airlines.

Mr. TAVENNER. Yes.

Mr. VELDE. Well, Mr. Heacock, may I point out that we are not interested in this hearing—nor I hope we are not interested in any other hearing—in the competitive efforts that you have made to establish this airline, or anything relating to your own personal business. This committee is interested in determining facts relative to subversive activities, and I still cannot see why we should proceed along this line any further at this particular point.

It has been suggested that the matter there be marked as an exhibit before the committee and certainly, without objection, it will be.

Mr. JACKSON. I would like to speak to the point of the exhibit.

After all, that material is material which was circulated by a third party, not addressed to the Committee on Un-American Activities, nor to any official body of the Congress. It has been circulated abroad elsewhere. I don't know whether or not charges which are made—whether they be made in good faith or out of maliciousness, anywhere in the country—should be incorporated into the official record of the House Committee on Un-American Activities, or any other committee.

Mr. SCHERER. Not unless—

Mr. JACKSON. I had never seen this document. My questions were not based on these letters.

But I question the wisdom of inserting material of general circulation, which has no official foundation, into the record of the committee.

Mr. VELDE. Well, I had intended—and I think the gentleman from Michigan intended—that it be introduced as an exhibit without going into the record.

Mr. CLARDY. Oh, yes; but the only reason I suggested it was because the witness, himself, brought it to my attention, to the committee's attention, for the first time and he seemed to attach some importance to it; and if, in any way, he conceives that it will help the committee to get the correct facts, I, for one, would like to have it.

Now, looking it over carefully, as I told Mr. Doyle, all I see is it is a reiteration of the very things upon which we have been questioning.

I don't know anything about this. In fact, I didn't know it was in existence. I didn't know anything about the row he may have had with some others in his business, and I am not concerned with that.

I agree with you—the committee should not—but if he thinks there is some value to this in presenting his side of the controversy now before us, involving him, I, for one, will be willing to receive it, although I am inclined to agree with Mr. Jackson. If it is merely some spurious document circulated by a third party, maybe we ought not consider it.

Mr. SCHIRERER. As long as the record shows it went into the record at the witness' request, I agree. It is derogatory to the witness and we shouldn't put it in unless he requests it be made part of his testimony.

Mr. CLARDY. That is right.

Mr. SCHIRERER. Now, if he requests it be put in the record, I think we should put it in the record; but the record should indicate that it gets into the record not by any affirmative action of this committee, but by a request on the part of the witness.

Mr. CLARDY. I think the record ought to show, Mr. Chairman, too, while a copy of this was given to counsel, counsel never called it to the attention of any member of the committee.

Until you produced it, yourself, witness, none of us up here had the slightest knowledge of it whatsoever, and it hasn't had anything to do with our questioning of you.

Mr. HEACOCK. I am confident, Mr. Clardy, that it hasn't.

I am aware that the committee here has been very fair to me. I'll say that.

Mr. CLARDY. We have been trying to be.

Mr. HEACOCK. The committee postponed this hearing at my request, so that it would get past the general industry hearing before the Senate.

Mr. CLARDY. Let me interrupt you 1 minute.

You have been good enough to agree we have been fair. Wouldn't you agree and wouldn't you state, on the basis of the testimony which has been taken in executive session, which has not been published to the public at all, and the other evidence that is in our hands that has been called to your attention, the committee has reasonable grounds to call you in and to ask you the questions we have?

Mr. HEACOCK. They certainly do. They certainly have.

I would like to point out, as additional facts bearing on your consideration here, the fact that something that was limited in scope has been built up in the last year and a half to an extremely tight case—

too tight, from my point of view—and I have been so concerned about it that sometimes I can't even—can't even sleep; but I would like to point out to you that when this was circulated—and the date is March 4, 1952, it was circulated prior to that——

Mr. VELDE. I believe, Mr. Heacock, we had better go ahead with the questioning relative to the facts of——

Mr. DOYLE. May I ask a question?

Mr. VELDE. Just a minute; relative to the facts of subversion. The facts will be considered by the committee later in executive session that you have to submit.

Mr. DOYLE. Mr. Chairman, I want to urge——

Mr. VELDE. Yes.

Mr. DOYLE. I think I should be privileged to ask a question.

This is the first time I have seen this photostat, and it seems to me one part of the photostat very definitely relates to whether or not this man was a member of the Communist Party.

Mr. VELDE. Well, now, Mr. Doyle, that is exactly what we have been questioning him on——

Mr. DOYLE. I notice that——

Mr. VELDE. For at least an hour and a half now.

Now, if your questions relate to membership in the Communist Party, the YCL, or any other subversive activities, certainly I will allow the distinguished gentleman——

Mr. DOYLE. Well, my question——

Mr. VELDE. From California to ask those questions.

Mr. DOYLE. My questions are going to lead to this premise: That this witness now claims that this record should go in as part of his testimony. In view of the fact he has been questioned on the very premises that are set forth in this photostat, according to the agreement of you gentlemen who have had time to read it all, I insist that this witness should have the right to put this photostat in the testimony as part of his statement.

Mr. SCHERER. That is what we agreed on.

Mr. VELDE. Now, Mr. Doyle——

Mr. SCHERER. That was my suggestion.

Mr. DOYLE. If that is the agreement and that is understood, all right, because this apparently identifies the source—at least part of the source—on which we are basing our questions.

Mr. JACKSON. No.

Mr. HEACOCK. No.

Mr. JACKSON. I object to that, and I should like to have the record show that the investigation by this committee today is based upon identification received in committee sessions under oath which places the witness in closed meetings of the Communist Party or of the YCL.

Mr. DOYLE. Well, this——

Mr. JACKSON. I had no previous knowledge of that document.

Mr. DOYLE. All right.

Mr. VELDE. Certainly the gentleman from California——

Mr. CLARDY. Mr. Chairman, I think——

Mr. VELDE. Who has always pointed out the committee's area of investigation——

Mr. CLARDY. Mr. Doyle and Mr. Jackson are the ones who heard it.

Mr. VELDE. Should agree this extraneous information that has been circulated around has nothing to do with the hearings, with these

hearings, or with the questions that have been put by counsel or the members of the committee.

Mr. TAVENNER. And, Mr. Chairman, I should say with the investigation that has been made.

Mr. HEACOCK. I have been.

Mr. TAVENNER. There has not been a single question which I have asked which has been based on that document.

Mr. HEACOCK. I can agree on that wholeheartedly.

Mr. CLARDY. May I ask the witness a question?

Mr. HEACOCK. I agree—

Mr. SCHERER. Wait a minute. I want to hear this.

What was that?

Mr. HEACOCK. I agree with that wholeheartedly.

I merely want to point out—I just want to get into this record—that certain interested parties have been pushing this matter for a year and a half, and I am sure the committee is not aware of it.

The committee has been fair to me, and I expect to continue to get a fair hearing out of this, but—

Mr. SCHERER. Before you go on, let me ask you one question: Are you requesting this correspondence, of which we have photostatic copies, be placed in the record?

Mr. HEACOCK. Yes.

Mr. SCHERER. All right.

Mr. VELDE. Without objection, it is so ordered.

(The document referred to was received in evidence as Heacock exhibit No. 1.)

HEACOCK EXHIBIT No. 1

U. S. AIRCOACH

THE STARLIGHT FLIGHT

Executive Offices: Room 1010, Chester Williams Bldg., 215 W. Fifth St.,
Los Angeles 13, Calif.

MARCH 7, 1952.

Mr. AMOS HEATHCOX [sic.]

Air Coach Transport Association,

1404 New York Avenue NW., Washington 5, D. C.

DEAR AMOS: Today I received a letter from John Mark, which I believe you should have investigated. I am enclosing a copy of this letter and the list he included. His letter was written in long hand, in his own writing.

Amos, I hope you can get to the bottom of this as I believe it is a very serious charge for someone like Mark to be making.

I know the boys in the Association are behind you.

Please let me hear from you as to what I might be able to do out here to help you in this matter.

Cordially yours,

Fritz HUTCHESON.

[Duplicate copy]

EXECUTIVE AIR SERVICES

EXCLUSIVE AIR TOURS

328 Woodward Bldg., Washington 5, D. C.

MARCH 4, 1952.

DEAR FRITZ: Very sorry not to have seen you while you were in Washington. I had several things to discuss with you of vital importance. Most important was the present crisis concerning a serious question about the history of one of

your members of ACTA. On a separate sheet I will give you some names and questions which you can work on and get the answers.

This situation is going to affect the entire industry, and will be a blow hard to recover from if you don't do something about it, and do it quick.

We are planning some tours for this summer. One of them is a trip to Hawaii. If you are still running out there, I would like to know your rates, schedule, commission, etc. I would also like an agency agreement with your company, as I am sure we can give you business from here to the coast. Also from other locations in the East.

If you are planning a trip east in the near future, and I hope you are, I would like to discuss the immediate formation of a new group to hop right into the military when this thing blows. This among other things.

Let me hear from you by return mail. Best regards.

Sincerely,

JOHN MARK.

[Duplicate copy]

CONFIDENTIAL

Why was Amos Evens Heacock discharged from Lockheed Aircraft Sept. 30-40 (Social Security #554-14-3299)?

Who was John Hayden (an alias) whose card number on Communist Party Book was 56454?

Did this man join the Downdown Youth Unit of the Communist Party in 1938?

Was he acquainted with one Roy Spector, said to be the same as Frank Spector now on trial in Los Angeles for Communist Activities?

Was he acquainted with the following, one of whom lived at 1307 West 40th St., Los Angeles, in 1940: a — Clifford Westly Stieess, b — John Raymond Powell, c — Roy Spector?

Did the landlady of the one, above, attend any Communist Party meetings with any or all of the above, and was John Hayden #56454 (alias) in this group?

Did Amos Evens Heacock reside at 115 E. 70th St., Los Angeles, California, in 1936?

Did he join the Communist Party at that time?

Consult your State Subversive Activities Committee.

Mr. CLARDY. Mr. Doyle, may I suggest——

Mr. SCHERER. Just so we can't be accused of circulating——

Mr. CLARDY. May I address a remark to my brother committee member?

Mr. VELDE. Mr. Clardy.

Mr. CLARDY. Mr. Doyle, I think I just discovered a few moments ago that you and Mr. Jackson were the members of the subcommittee that remained behind in Los Angeles and elicited the testimony upon which the interrogation was based before you came in.

Mr. DOYLE. Well, this gentlemen is before this committee without the benefit of legal counsel.

Mr. CLARDY. That is——

Mr. DOYLE. And I think it is fundamental, therefore, that we bend over backward to make sure he is not losing any of his rights; and unless he is a lawyer——

Mr. HEACOCK. Well, I——

Mr. DOYLE. The other thing is this: In that photostat I notice some of those questions date way back to 1936 and 1937——

Mr. CLARDY. That is right.

Mr. DOYLE. And, in my book, that is a long, long way back——

Mr. SCHERER. Mr. Doyle, I was concerned about that, too, until——

Mr. DOYLE. To admit testimony about a man before us without counsel.

Mr. SCHERER. Mr. Chairman, I was saying I was concerned about that, too, until I heard some of the sworn testimony that was taken out in Los Angeles, I think, before you and——

Mr. CLARDY. Mr. Doyle, some of them have been Communists longer than that.

Mr. DOYLE. I know.

Mr. VELDE. Let us proceed in regular order, and——

Mr. JACKSON. I think the record should show again that the witness was advised of his right to counsel and stated he did not desire counsel at the opening of the hearing, so that his constitutional rights were fully observed in every respect by the committee.

Mr. DOYLE. I know, Committee Member Jackson, but that doesn't relieve us from the fact he is here without counsel.

Mr. CLARDY. We have bent over pretty far backward.

Mr. VELDE. Regular order.

Proceed, Mr. Counsel.

Mr. DOYLE. I hope we always do.

Mr. HEACOCK. May I read one sentence of this to point out the reason I wanted it in the record?

Mr. VELDE. The Chair will allow you to do it, although it is in the record at the present time.

Mr. HEACOCK. This gentleman is writing to a member of the association I represent—I represented at that time, and he is circularizing this information. The one sentence is:

I would like to discuss the immediate formation of a new group to hop right into the military when this thing blows.

Now, the gentleman is an interested party, and some of these things have come up, I think—some of the testimony, I believe—Mr. Rosser—

When was his testimony taken, could you tell me?

Mr. TAVENNER. April 7, 1953.

Mr. HEACOCK. In other words, his testimony was taken since I spoke to the committee investigator and indicated that I challenged the statement of Mr. Rosser.

Mr. SCHERER. Obviously some of the material contained in the correspondence which you handed us is libelous insofar as you are concerned. Have you sued this man for libel?

Mr. HEACOCK. No, sir.

Mr. VELDE. I can see no further use in going into this extraneous matter. It isn't a matter that is in the committee's jurisdiction as far as I can see.

Mr. HEACOCK. Mr. Velde——

Mr. VELDE. So, I would ask the counsel proceed with any further questions he may have to ask in regular order.

Mr. TAVENNER. You stated that you were employed by Lockheed Aircraft for a period of 3 weeks. What was the reason for the termination of your employment with Lockheed?

Mr. HEACOCK. I was—my employment was terminated at Lockheed because they said these reports of Communist associations——

Mr. TAVENNER. And those reports were correct; weren't they?

Mr. HEACOCK. Yes; I had associated with these people that I have talked to you about.

Mr. TAVENNER. Had you engaged in any Communist Party activities at Lockheed—

Mr. HEACOCK. No, sir.

Mr. TAVENNER. In the sense of attending fraction meetings of the Communist Party?

Mr. HEACOCK. No, sir; absolutely not. In fact, I had not met anybody at Lockheed; didn't know anybody there; didn't meet with anybody after work. In fact, the reason why I couldn't possibly have done so was that I was going every evening to a CPT ground training course, which was held in North Hollywood at that time, and was the primary reason for my seeking a job at Lockheed, because I had won this training course in flying, which was my deepest interest, to learn to fly; and when I was successful, among a hundred, I took this ground school, successfully passed, among the five highest, and got my flight training. So, I went to work at Lockheed so as to be near this school, which was at North Hollywood, a few miles away.

Mr. TAVENNER. Do you have presently employed an individual by the name of Theodore Vosk—V-o-s-k?

Mr. HEACOCK. Yes.

Mr. TAVENNER. Where is Mr. Vosk employed?

Mr. HEACOCK. Seattle.

Mr. TAVENNER. Seattle?

Mr. HEACOCK. In the maintenance operation.

Mr. TAVENNER. Is this the field where the Boeing Aircraft Co. has its large plant?

Mr. HEACOCK. Yes, sir; they are across the field.

Mr. TAVENNER. How long has Mr. Vosk worked for you?

Mr. HEACOCK. He's worked for us since the inception of operations, and I believe it was June of 1948.

Mr. TAVENNER. What were the circumstances under which you employed him?

Mr. HEACOCK. The circumstances were this: That he had done considerable work in our predecessor organization out in Honolulu, done considerable work for us, and we were—speaking of the officials of our company—we were confident he had rare ability in maintenance. He had been in charge of the Philippine line there, operating out of Honolulu. Whenever we wanted to get any maintenance done that stumped our own mechanics, we would call upon him. As a result, when we went into an operation at Seattle, he was called to come with us.

Mr. TAVENNER. At the time of your employment of him, did you know that his employment with the United States Army had been terminated as a result of an unfavorable loyalty investigation?

Mr. HEACOCK. Yes, sir; I did. I got that information through another member of our company who came to me one day—you see, we operated a housing project there at Honolulu, and he came to me and said, "There's been an FBI man around to—here to check up on Mr. Vosk," and he came around to him as the head of the department, or the head of the apartment house that we ran, operated, and said that Mr. Vosk had been terminated under the loyalty program and inferred that he should be put out of the apartment.

So, this official of my company came to me, asked me what I thought about it. He said he had already decided that if the man was minding his own business, why, he would be allowed to stay.

And that's how I came to know that he had been discharged in connection with the loyalty program. He had worked at Hickam Field, which was adjoining the field where we had our housing project.

Mr. TAVENNER. Do you consider that a person who has been discharged from Army employment as a result of a loyalty investigation should be employed in work of the character that your company was engaged in, where you necessarily had to exercise rights of entry and departure through military installations throughout the country?

Mr. HEACOCK. Well, sir, he didn't leave Seattle in the course of his duties.

Mr. SCHERER. Would that make any difference?

Mr. HEACOCK. Well, I should take the position—I should take the position also that I shouldn't be involved in military movements myself; and, of course, I do know that Mr. Vosk has been under surveillance, and he has apparently minded his own business ever since he came into our employ, and there has been no question as to any subversive activity since he's been in our employ. So, we just took the position that we didn't think we should discharge him.

Have you any information that Mr. Vosk has been engaged in subversive activities since he joined our company?

Mr. TAVENNER. No; the committee does not, but the committee has no way of determining what his present situation is, having known of what his activities were in the past.

Mr. HEACOCK. Well, the——

Mr. SCHERER. Well, do you know whether Vosk is a member of the Communist Party today yet?

Mr. HEACOCK. I don't think he is, sir. If he was, I certainly wouldn't put up with him a single day.

Mr. SCHERER. Do you know if he ever was a member of the party?

Mr. HEACOCK. I don't know.

Mr. TAVENNER. Have you endeavored to inquire in any way as to whether or not he is?

Mr. HEACOCK. I know that the FBI has been in touch with his case, and they're very—if there had been something, why, the FBI would have gotten in touch with his employers.

Mr. SCHERER. Are you sure?

Mr. VELDE. Well, I——

Mr. SCHERER. I just want to know if the witness is sure.

Mr. HEACOCK. Oh, no.

Mr. VELDE. Must say, speaking for myself——

Mr. HEACOCK. I am just assuming——

Mr. VELDE. I rather disagree with the witness on that statement. I doubt very much whether the FBI would get in touch with this man's employer regarding his membership in the Communist Party.

Mr. HEACOCK. They——

Mr. SCHERER. Under the circumstances in this case——

Mr. HEACOCK. I take that point of view because they got in touch with his landlord at Honolulu.

Mr. SCHERER. Well, maybe his landlord has never been identified as a member of the party.

Mr. JACKSON. Did you discuss the loyalty investigation with Mr. Vosk?

Mr. HEACOCK. I have asked him about it, and—and he said that he had—had not been a member of the party; but he had been—had some

associations that they were checking into because of a previous employment.

Mr. VELDE. By "party"—

Mr. JACKSON. By "associations"—you mean the party?

Mr. VELDE. You mean the Communist Party?

Mr. HEACOCK. I never went that far into it with them.

Mr. VELDE. Well, when you said you discussed the matter with him, and you said he was not a member, or hadn't been a member, of the party, do you mean the Communist Party of the United States?

Mr. HEACOCK. Yes.

Mr. TAVENNER. Mr. Chairman, I may say our investigation discloses on November 13, 1947, the Employees' Loyalty Review Board, Department of the Army, upheld the decision to discharge Mr. Vosk from his then position.

Mr. VELDE. Thank you.

Mr. TAVENNER. I have no further questions.

Mr. VELDE. Mr. Jackson.

Mr. JACKSON. No questions.

Mr. VELDE. Mr. Clardy.

Mr. CLARDY. No questions.

Mr. VELDE. Mr. Scherer.

Mr. SCHERER. No questions.

Mr. VELDE. Mr. Kearney.

(No response.)

Mr. VELDE. I am sorry I didn't recognize you first, Mr. Kearney.

Mr. Doyle.

Mr. DOYLE. No questions.

Mr. VELDE. Is there any reason why this witness should be any longer retained under subpoena, Mr. Counsel?

Mr. TAVENNER. No, sir.

Mr. VELDE. If not, the witness——

Mr. HEACOCK. May I——

Mr. VELDE. You have something?

Mr. HEACOCK. May I make a very short statement?

Mr. VELDE. I would appreciate it if it would be rather short——

Mr. HEACOCK. Very short.

Mr. VELDE. Because we have other meetings this afternoon to attend, and some of us haven't had lunch yet.

Mr. CLARDY. Thank you, Mr. Chairman.

Mr. HEACOCK. Of course, I have been exceedingly worried about an evident campaign for about a year and a half to bring this to the attention of your committee in full-scale hearings.

Also like to point out that the committee offered me the opportunity, which I very much appreciate, of presenting my testimony in executive session, and I—I said I'd just as soon have it in public session.

Also, I would like to read from the Wrangell Alaska Sentinel, May 1, 1953, a column saying—"Through the Sentinel Periscope"—one paragraph:

Along about the middle of this spring month of May, there is expected to come out of the House Un-American and Subversive Activities Committee a report that promises to shake Alaska to its political roots. Our advance information is that a man widely known in Alaskan affairs is being tabbed by the committee as a seasoned Communist for subversive conspiracy and that the ramifications are almost beyond conception politically as well as otherwise.

Now, I can say, because I have talked to the committee here, that the committee is, I am confident—is not engaged in any such campaign; but there are other parties that are and, when you see a case tied down so closely that has been in preparation for some time, I wish you would please keep that in mind.

I have—you might say I have been the biggest thorn in the side of the scheduled airline lobby that we have here in Washington.

My own company offered to transport the mails to Alaska for a dollar a year. They put us and every other irregular carrier—about 13 of them—out of business in this operation, and——

Mr. VELDE. Well, Mr. Heacock, may I say this is getting into extraneous material again. I do not believe we are interested in that particular——

Mr. HEACOCK. Well, that——

Mr. VELDE. Subject.

I want you to know—and I think the committee members will all agree with me on that—that none of us are out to destroy anybody's livelihood, or in any way interfere with the ordinary course of a person's life.

We are out to make investigations relative to subversive activities throughout this country, with a view in mind of reporting it to the Congress and to the American people, so that we might do something about the menace that threatens our country by subversive activities.

This matter is something that should be dealt with, in my opinion, privately and possibly, as one of the gentlemen suggested, in the courts. If there is slander or libel in any way, there is an opportunity to bring the matter before the courts of the land.

You understand this is a congressional investigative legislative committee, set up to investigate subversive activities. We have nothing to do with these quarrels——

Mr. HEACOCK. Yes.

Mr. VELDE. Of a private nature.

Mr. HEACOCK. Chairman Velde, I will discontinue that line of presentation.

I would just like to make a statement as to my own loyalty.

(Representative Donald L. Jackson left the hearing room at this point.)

Mr. HEACOCK. Contrary to the feeling of Mr. Clardy, I did—I never did feel that my activity in—in being associated with these people at that time, in 1937, and 1938, involved any question of loyalty to my own country——

Mr. CLARDY. I wasn't talking of mere association.

Mr. HEACOCK. And I swear——

Mr. CLARDY. I was talking of membership.

Mr. HEACOCK. That's right; and I swear in the period that I have served in the Armed Forces I have tried to not only do my duty, but a little more, if possible. I volunteered for every assignment that was dangerous; every assignment that was asked for.

I have, since that time, tried to take what I had learned during the war about the importance of airlift and tried to project it into my civilian work, which I felt was the—the backing of the independent air carriers to throw a competition into this air transportation picture,

which would enable us to build the type of airlift reserve that we've got to have.

Russia and—and the Communist countries—I would, tomorrow, fight them. I would—if you want to put the \$64 question to me—“Would I fight these people?”—I would say, “Till the last breath of life I have.”

And I feel very strongly about it. I didn't at that time, but since that time blood has been shed, and I certainly would consider—I would offer in the service of my country everything that I have.

And as I pointed out to you previously your background enables you to fight this thing in one way, and my background, which is airlift, enabled me to fight it in another way; and I am concerned about the international Communist conspiracy as well as any member of this committee, and I believe very strongly—

Mr. DOYLE. Mr. Chairman.

Mr. VELDE. Mr. Doyle.

Mr. DOYLE. I think this is the first case since I have been on the committee these years that I have heard a witness indicate that possibly, as a result of competition between his activities and someone else, some complaint will be made to this committee about activities, alleged activities, of the witness.

Now, I have never met the witness before. I don't know anything about him. As I say, I was on the floor of the House before I came to this committee from the Capitol just now, but it seems to me, in view of the very definite inference at least—possibly stronger than that—that this witness has made to this committee that possibly, and probably, I take it from his testimony, that he is involved in this hearing, directly or indirectly, as a result of competition that he has offered to some other interests in this country, that this committee ought to make it crystal clear to this witness, if it hasn't already been done—

Mr. VELDE. Mr. Doyle, I would like to call to your mind that you and I both are defendants in a \$52 million judgment suit for allegedly blacklisting people and—

Mr. DOYLE. I know, Mr. Chairman, and unjustly so.

Mr. VELDE. And no inferences should be drawn from the witness' statements, or in producing this document for the record.

Mr. DOYLE. That is one reason I want to make this statement, if the chairman hasn't already done it before I came into this committee room.

I want this definitely understood. I do not believe this committee, nor any member thereof, nor any member of the staff, deliberately, directly or indirectly, would be a party, knowingly,—knowingly, sir—to have you injured by reason of any hearing before this committee as a result of any of your own private business or affairs.

Mr. HEACOCK. I am sure of that, sir.

Mr. DOYLE. Now, I want to make that crystal clear to you, and I wish to say this further to you: If, in the course of your experience, you find evidence that is the case, I invite you right now to get to our counsel at the earliest possible moment and produce it, because certainly this committee, nor any member of it, is not going to be a party to ruining the reputation or standing of any American citizen growing out of his business activities.

It is only, as our distinguished chairman has said, the extent to which a person has been or is being actively interested in subversive activities, either past or present, that we are interested in.

Does that make it clear to you?

Mr. HEACOCK. Yes, sir; that does, sir, and I thoroughly agree with you.

I've had the fairest treatment possible from this committee. I've had fair treatment from the investigator, and I certainly don't complain of the attitude of this committee.

But I would like to call to your attention there are severe undercurrents here and that, if I may point out one more fact—one important fact—that I believe this information was first brought to you by myself—

Mr. CLARDY. The information in this exhibit, you mean?

Mr. HEACOCK. Some of this information—because there was the Prototype Aircraft Advisory Committee, to which I was appointed because I was representing the nonscheduled industry—I attended some meetings, and then resigned from it because I was in disagreement that they weren't going into cargo-type airplanes so essential for the national defense; and after resigning I found on my desk one morning a questionnaire from the FBI, saying that, "You are a member of the Prototype Aircraft Advisory Committee; this is a routine questionnaire," and I knew, as I sat there, that I had been associated with these people and that if I should send this information in, fill out this questionnaire, that sooner or later I'd appear before this committee, or some other action taken—

Mr. CLARDY. As I understand it, witness, though, you have tried, as I get it very clear, to say you are not charging this committee with any collusion with those groups, or that they have anything to do with the institution of this investigation?

Mr. HEACOCK. Absolutely not.

But the first party that became aware of this information was within the CAA and CAB. When I signed this questionnaire, knowing what it would involve—but I have never evaded anything like this in my life—turned it in, a report evidently went to the CAB, and this item came out in American Aviation Daily.

Mr. VELDE. Well, now, I think we have gone far enough into that—

Mr. CLARDY. May I say one thing more, Mr. Chairman?

Mr. VELDE. And with regard to the witness' rights, and everything else.

We have another witness in executive session, and unless there is—

Mr. CLARDY. May I just say one thing?

I have been a pilot and an airplane owner for better than a quarter century, and I have some private quarrels with the governing body regulating those things. So, in one respect, I may be in your corner.

Mr. HEACOCK. Let me thank you at this time—thank the committee—and I would like to say also that I voluntarily have placed myself under military jurisdiction so I could further pursue this matter.

(Representative Bernard W. Kearney left the hearing room at this point.)

Mr. HEACOCK. My commission in the Air Force Reserve would have expired April 1. Since this matter was before your committee—if I hadn't sworn in again and turned my application in—I did it for this purpose—so that the—I could appear before the Air Force and, in a trial, if necessary, go to the very root of this matter—and that necessarily will come up in the future.

And I thank you very, very much for your consideration.

Mr. VELDE. You are very welcome, Mr. Heacock.

The committee will stand in recess, and the witness is excused at the present time.

(Whereupon, at 1:55 p. m., the hearing was recessed, subject to call.)



COMMUNIST METHODS OF INFILTRATION (Government—Labor)

TUESDAY, JUNE 9, 1953

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D. C.

PUBLIC HEARING

The Subcommittee of the Committee on Un-American Activities met, pursuant to call, at 10:40 a. m., in the caucus room, room 362, Old House Office Building, Hon. Bernard W. Kearney presiding.

Committee members present: Representatives Bernard W. Kearney (presiding), Gordon H. Scherer, Francis E. Walter, Clyde Doyle (appearance noted in transcript), and James B. Frazier, Jr. (appearance noted in transcript).

Staff members present: Robert L. Kunzig, counsel; Frank S. Tavenner, Jr., counsel; Thomas W. Beale, Sr., chief clerk; and Courtney E. Owens, investigator.

Mr. KEARNEY (presiding). The committee will be in order.

Let the record show that a subcommittee has been appointed by the chairman, Mr. Velde, consisting of Mr. Kearney, Mr. Scherer, and Mr. Walter.

Do you have a witness?

Mr. TAVENNER. Yes, sir.

Will Mr. Russell Nixon come forward, please?

Mr. KEARNEY. Mr. Nixon, do you swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. NIXON. I do, sir.

TESTIMONY OF RUSSELL ARTHUR NIXON, ACCOMPANIED BY HIS COUNSEL, DAVID SCRIBNER

Mr. TAVENNER. What is your name, please, sir?

Mr. NIXON. My full name is Russell Arthur Nixon.

Mr. TAVENNER. Are you accompanied by counsel?

Mr. NIXON. Yes, sir; I am, by Mr. David Scribner.

Mr. TAVENNER. What is your address, Mr. Scribner?

Mr. SCRIBNER. Eleven East 51st Street, New York City.

Mr. TAVENNER. When and where were you born, Mr. Nixon?

Mr. NIXON. I was born in St. Paul, Minn., July 27, 1913.

Mr. TAVENNER. What is your present occupation?

Mr. NIXON. Well, I'm the Washington representative, legislative representative, of the United Electrical, Radio and Machine Workers of America.

I would like to request, Mr. Chairman, inasmuch as there is legislation pending before this committee, an opportunity to make a statement on the legislation that is pending to the committee and to make certain legislative proposals to the committee at this time.

(Representative Clyde Doyle entered the hearing room at this point.)

Mr. KEARNEY. You understand there is legislation before this committee?

Mr. NIXON. Yes, sir.

Mr. KEARNEY. Let me see your statement.

Mr. NIXON. Yes, sir; I will.

I am specifically addressing myself to legislation before this committee, and in addition I have certain legislative proposals which I would like to propose to this committee.

I make this request because obviously the purpose of this committee must be the consideration of legislation, and it seems to me to be an appropriate request to make under the circumstances.

In case you are not aware of the bill that is pending before the committee, I can—

Mr. KEARNEY. Just a minute, please.

I will say to the witness, as far as the statement is concerned, that if the witness has any testimony to offer on any proposed legislation that might come before this committee he is welcome to offer that testimony at the time any hearings are held.

Mr. NIXON. Does that mean, Mr. Chairman, I cannot make this statement at this time?

Mr. KEARNEY. That means we will proceed with the testimony at present.

Mr. NIXON. Would it be possible to put this in the record?

Mr. KEARNEY. It certainly would.

Mr. NIXON. Very well. I offer then this statement for the record, and I emphasize it deals with H. R. 4548, which is pending before this particular committee, as well as containing legislative proposals which I would want to make before the committee.

(The statement of Mr. Nixon is as follows:)

GOVERNMENT LICENSING OF TRADE UNIONS (H. R. 4548)

H. R. 4548, introduced by Congressman Miller of Maryland and referred to the Committee on Un-American Activities, would amend the Internal Security Act of 1950 to require that every labor organization and every member of a labor organization should submit to the Subversive Activities Control Board for its approval as the price of existence as a union or participation in a union. This bill in general involves proposals such as have been advanced by Senators McCarran of Nevada, Butler of Maryland, and Goldwater of Arizona, and Congressman Rhodes of Arizona, all of which propose to destroy the free right of workers to choose their own union and their own union officers and to substitute therefore the dictatorial censorship and control of a Government board.

Mr. KEARNEY. Proceed, Mr. Counsel.

Mr. TAVENNER. Mr. Nixon, will you outline, please, for the committee what your formal educational training has been?

Mr. NIXON. What level do you want me to start, Mr. Tavenner?

Mr. TAVENNER. With college.

Mr. NIXON. Very well.

I went to Glendale Junior College in Glendale, Calif., from 1930 to 1932.

I graduated from the University of Southern California, Los Angeles, 1934.

I spent an additional year of graduate work at the University of Southern California in the year 1934-35.

I entered the graduate school of Harvard University in 1935, received my master's degree in economics in 1938 and my doctor's degree in economics from Harvard University in 1940.

Mr. TAVENNER. Will you tell the committee, please, what your record of employment has been since 1938 when you received your master's degree, or—

Mr. NIXON. That's all right.

Mr. TAVENNER. Let me preface that by this question: Were you in attendance at Harvard University between 1938 and 1940?

Mr. NIXON. Yes, sir. I was in the process of completing my doctoral dissertation and taking my examinations.

Mr. TAVENNER. Then, will you tell the committee, please, what your record of employment has been since 1940?

Mr. NIXON. Since 1940?

Mr. TAVENNER. Yes, sir.

(Representative James B. Frazier, Jr., entered the hearing room at this point.)

Mr. NIXON. Well, during 1940 I was still at Harvard University.

Mr. KEARNEY. Pardon me just a minute.

Let the record show that Mr. Doyle and Mr. Frazier are present.

Mr. NIXON. And the completion of that service on the faculty of Harvard University technically occurred—I think it was the end of January 1941.

In 1941, January, I came to Washington, and for a period of 2 or 3 months I was—

Mr. TAVENNER. Let me interrupt you a moment there, please. I am not certain I understood what your situation was at Harvard prior to January, 1941.

Mr. NIXON. Well, you didn't ask me.

Mr. TAVENNER. Yes.

Mr. NIXON. You asked me what my occupational history was after 1940.

Mr. TAVENNER. Yes, and in view of your answer—

Mr. NIXON. Yes.

Mr. TAVENNER. I am asking you now to tell us what your situation was at Harvard.

Mr. NIXON. I was a member of the Economics Department, tutor and instructor in economics, teaching general economic courses and labor courses, in conjunction with others, and I also taught the same courses and had the same status at Radcliffe College for several years.

Mr. TAVENNER. When did your employment at Radcliffe College begin?

Mr. NIXON. To the best of my recollection—and that's a rather shared relationship—a teacher at Harvard frequently goes across the street and teaches classes at Radcliffe College. If my recollection serves me correctly, I was there in the years of 1939-40, and 1940-41.

I think that's approximately correct on the Radcliffe part of it.

Mr. TAVENNER. And were you teaching at Harvard during that same period of time?

Mr. NIXON. Yes, sir.

Mr. TAVENNER. Were you a teacher at any time at Massachusetts Institute of Technology?

Mr. NIXON. Yes, in the period which you didn't inquire about. I taught for one year at MIT—also economics—from 1936 to 1937.

Mr. TAVENNER. Did you teach at any other institutions?

Mr. NIXON. At the same year, 1936 to 1937, I taught in conjunction with Professor Edward Chamberlin an economics course at the extension school at Harvard. It was an adult education extension arrangement, which was a single course, which I shared in the instruction with Professor Chamberlin—1-year period.

Mr. TAVENNER. Have you had any other teaching experience?

Mr. NIXON. Outside of my work on the trade union?

Mr. TAVENNER. Yes.

Mr. NIXON. No, sir.

Mr. TAVENNER. What was your teaching experience in the trade union?

Mr. NIXON. Well, in the course of our activities in the union we carry on education of our membership in regard to economics, political affairs, trade union matters, and from time to time we have schools and courses and classes, and in that connection I participated in that, never in any formal teaching arrangement outside of the normal functions in my work in the union.

Mr. TAVENNER. During that period of time, when you were teaching as you have described in the trade-union field, did you teach at any school?

Mr. NIXON. No; I don't think so. It's possible some of our summer classes in the trade unions might have been called the district school. I don't think so, though. We had some summer education seminars, but I don't think they were called schools.

Mr. TAVENNER. Now, will you begin with January 1941, please, and tell us what the nature of your employment has been?

Mr. NIXON. After I resigned, Harvard University, I came to Washington and, for a period of 2 or 3 months, something like February, March, and April, I was employed in the Economic Research Division of the WPA, doing special studies in research on manpower problems, in which I was specially prepared at Harvard.

Following that very brief period, I became a national legislative representative of Labor's Non-Partisan League, which at that time was the political and legislative arm of the Congress of Industrial Organizations. I served in that position until toward the end of 1941; and in November of 1941 I resigned that position in Labor's Non-Partisan League and entered the employ of the United Electrical, Radio & Machine Workers of America, in charge of the Washington office, which was first being opened.

I have been in their employ since that time and in the same capacity with two exceptions. The first exception occurred in 1944, when I was drafted into the armed services and took basic infantry training and went overseas. In that capacity, I was eventually assigned to the Allied Control Council, the Office of Military Government of the United States, and I served initially in the Finance Division of the Council.

I was at first the Chief of the Denazification Section of the Finance Division, having charge of the denazification of the German financial system in the American Zone of Occupation. Subsequently, I became Chief of the Branch of Financial Intelligence of the same Division. Subsequently, I became Deputy Director of the Division of Investigation of Cartels and External Assets of the Allied Control Council in Berlin; and after a very brief period—matter of a few days in that capacity—I became the Director of that Division, and I was also the American member appointed by General Eisenhower and General Clay of the Quadripartite German External Property Commission established in the Potsdam agreement in Berlin in the summer of 1945. I served in that capacity till the beginning of 1946, at which time I resigned these positions and returned to my position with the United Electrical, Radio and Machine Workers of America.

That's the first exception.

The other exception occurred in 1948, for a period of some 6 or 7 months, which time I shared my time between the UE and the Progressive Party or, more correctly, I think at that time the National Committee for the Election of Wallace and Taylor; and I was in charge of the trade-union aspects of that campaign, working approximately half time in that area and approximately half time in the regular functions of my job in the Washington office of the United Electrical Workers, and my pay was half by the United Electrical Workers and half by the Wallace campaign organization.

Those are the only two exceptions in my occupational history since 1941.

Mr. TAVENNER. Mr. Nixon, where did you live prior to your coming to Washington in January 1941?

Mr. NIXON. I lived in Cambridge, Mass.

Mr. TAVENNER. Did you live in New York City at any time?

Mr. NIXON. No; I never lived in New York City prior to coming to Washington.

Mr. TAVENNER. Mr. Nixon, from time to time the committee has received information and testimony which, if true, indicates that you are in possession of vast information regarding the activities of the Communist Party in the United States in a number of fields, and it is the desire of the committee that you be questioned regarding your knowledge of such matters and your alleged participation in such activities.

Now, you have testified that you were an instructor at a number of schools—Radcliffe College, at Massachusetts Institute of Technology, and at Harvard University. During the period that you were in the teaching field, were you a member of the American Federation of Teachers?

Mr. NIXON. Well, I don't like the practice of a congressional committee asking a person whether he belonged to a union or not. I think that's a very questionable question, Mr. Tavenner, to ask a witness under subpoena whether he belonged to an A. F. of L. union or not.

If you insist, I would answer that question; but I think it's an improper question.

Mr. TAVENNER. Well, Mr. Nixon, of course, the purpose in asking that question is not to cast any reflection upon unions as such, but we are involved here in the question of ascertaining certain facts regarding the Communist Party and it is impossible to do that without

mentioning groups in which they were attempting to function. That is the only purpose of it. It is not to in any way interfere with a union organization as such or to embarrass it in any way.

Mr. NIXON. Well, I object to it because——

Mr. TAVENNER. So, I will have to insist on your answering the question.

Mr. NIXON. All right.

Well, I think it is an improper question for this committee, but I shall answer it.

I was a member of the American Federation of Teachers local at Harvard, part of the American Federation of Labor.

Mr. TAVENNER. There has been testimony presented to the committee that there existed at Massachusetts Institute of Technology and at Harvard over a period of years—certainly between 1938 and 1940—an organized group of the Communist Party composed exclusively of members of the faculty or teachers at those two institutions.

It has been testified that one of the main purposes—that is, one of the main immediate purposes—of that organization of the Communist Party was to infiltrate the American Federation of Teachers.

In view of your having been a member of that union, I want to ask you whether or not you were aware that an effort was being made by the Communist Party to infiltrate that union.

Mr. NIXON. Well, Mr. Tavenner, I am going to decline to answer that question for several reasons, which I would like to state to the committee, with the understanding that each reason stands by itself, is not limited or qualified in any degree by the fact that I also have other reasons for declining to answer such questions.

First, I decline to answer a question of this—any question of this committee regarding my political views, associations, or affiliations because I believe such questions violate my rights under the first amendment of the Bill of Rights of the Constitution, by which all citizens are guaranteed freedom of speech and peaceful association.

I secondly decline to answer such questions because I would refuse to be a party to the Un-American Committee's repressive actions against the spirit and practice of political freedom in any country.

Mr. KEARNEY. Let me interrupt the witness, please.

Regardless of the witness' thoughts on whether he believes the committee is called the Un-American Committee, it is the Committee on Un-American Activities of the House of Representatives. It is a standing committee of the House of Representatives, and we will so designate it in the future.

Mr. NIXON. Continuing my reason for declining to answer your question—and because I refuse to be an instrument for this committee in its offensive on behalf of greedy employers against militant and uncorruptible unions and leaders, and against those in our country who fight for peace against national policies they believe are leading toward the disaster of World War III.

And, third, I decline to answer such questions on the grounds of the protection afforded me by the fifth amendment in the Bill of Rights, which extends for all citizens the privilege not to be a witness against himself.

I assert this privilege in view of the jeopardy which I believe confronts me and every other unfriendly witness before this committee when confronted by such a question.

I assert this fifth amendment privilege because I fear for myself, as well as others, the invasion upon my liberty, threatened by the combination of the repressive thought-control legislation now in effect, the allegations of perjurious witnesses and unequal justice and unconstitutional court actions so characteristic of these days of—

Mr. KEARNEY. Well—

Mr. NIXON. Fear and hysteria.

Mr. KEARNEY. May I interrupt the witness at that point?

According to your statement, that portion of your statement you just read then, in other words, as I take it, the only witnesses who come before this committee, as you state, are the so-called unfriendly witnesses?

Mr. NIXON. Well, I am happy to repeat that section of my statement.

Mr. KEARNEY. I understand the section. You don't have to repeat it.

Mr. NIXON. Well, I say the jeopardy which confronts me and every other unfriendly witness.

Mr. KEARNEY. That is right.

Mr. NIXON. I am referring to the jeopardy—

Mr. KEARNEY. That is right. In other words, the only witnesses who tell the truth here, according to your statement, are the unfriendly witnesses?

Mr. NIXON. What I said is—

Mr. KEARNEY. I know what you said.

Mr. NIXON. What I meant—

Mr. KEARNEY. Do you—

Mr. NIXON. That the ones in jeopardy—

Mr. KEARNEY. Want to explain what you meant?

Mr. NIXON. I meant to say that I think there is jeopardy confronting me and every other unfriendly witness before this committee. That is what I meant to say.

Mr. KEARNEY. Proceed, Mr. Counsel.

Mr. NIXON. I'll complete this very quickly. There is not much more.

I fear that I and no other person not conforming to the views of McCarthy, Jenner, and Velde can feel safe from this jeopardy.

I utilize this value and, I believe, very necessary constitutional protection, emphasizing that it was written into our Bill of Rights to protect the innocent persons and that its invocation is not evidence of guilt of crime or wrongdoing.

For these reasons, Mr. Tavenner, and Mr. Chairman, I decline to answer the question you have just asked me, and I will, for the same reason, refuse to answer other questions I deem to be of the same character.

I should like to say now that when and if further such questions are asked and I say I decline to answer for reasons already stated I have reference to the statement I have just now completed.

Mr. KEARNEY. On the grounds of the first and fifth amendments?

Mr. NIXON. On all three grounds which I stated to the committee.

Mr. KEARNEY. Well, without reference to your lengthy explanation there, you mean that you refuse to answer on the grounds of the first and fifth amendments?

Mr. NIXON. The answer took less than 3 minutes, Mr. Kearney, and I mean that I decline to answer for all of the words which I said to you in those less than 3 minutes.

Mr. TAVENNER. Mr. Nixon, were you aware during the time you were at Harvard University, either as a student or as a member of the faculty, that there existed on the campus at Harvard a group or cell of the Communist Party composed of members of the faculty?

Mr. NIXON. Isn't that the same question you just asked me, Mr. Tavenner?

Mr. TAVENNER. No.

Mr. NIXON. Isn't it?

Mr. TAVENNER. No.

Mr. NIXON. Well, no matter, I decline to answer it for the reasons already stated.

Mr. TAVENNER. While a student at Harvard University, were you aware of the existence among the student body of an organization of the Communist Party?

Mr. NIXON. I decline for the reasons I've stated to the committee.

Mr. TAVENNER. Were you aware of the existence in the student body at Harvard of an organization or group of the Young Communist League?

Mr. NIXON. I decline to answer that question for the reason stated.

Mr. TAVENNER. While at Harvard University, did you become acquainted with Harry Bridges?

Mr. NIXON. I decline to answer that statement—same grounds.

Mr. TAVENNER. Did Harry Bridges engage in a series of lectures at Harvard University during the year 1939 or 1940?

Mr. NIXON. I decline to answer that question for the grounds I have already stated to you, Mr. Tavenner.

Mr. KEARNEY. Well, isn't that a matter of public knowledge?

Mr. NIXON. Well, if it is, why are you asking it, Mr. Kearney?

Mr. KEARNEY. I didn't ask you the question.

Mr. NIXON. Why is your counsel asking it?

Mr. KEARNEY. I am asking you another question.

Mr. NIXON. If you are seeking information——

Mr. KEARNEY. I am asking you whether——

Mr. NIXON. Why are you asking me——

Mr. KEARNEY. That isn't a matter of public knowledge.

Mr. NIXON. For something is a matter of public knowledge.

Mr. SCHERER. How can it incriminate you to answer it?

Mr. NIXON. I am not going to answer questions about perjurers before this committee for the reasons that I have already stated to the committee and which I am sure is quite apparent to everyone of you.

Mr. KEARNEY. It certainly is.

Mr. NIXON. I have tried to make it quite apparent.

Mr. KEARNEY. Did you play any part in the making of arrangements with Harry Bridges to lecture at Harvard University?

Mr. SCHERER. That isn't common knowledge, Mr. Witness. So, maybe you can answer that one.

Mr. NIXON. I decline to answer that question for the reason I have already stated.

Mr. TAVENNER. Will you tell the committee a little more fully, please, what period of time it was that you were at Massachusetts Institute of Technology?

Mr. NIXON. Yes. I'll repeat what I've already said to you. Perhaps I can give you the months, Mr. Tavenner. I taught at MIT from September 1936 until June 1937—1 school session, 1 year.

Mr. TAVENNER. What were the circumstances under which you left teaching at Massachusetts Institute of Technology?

Mr. NIXON. Circumstances were that I was offered a job at Harvard.

Mr. TAVENNER. I believe you stated that you were the legislative representative of Labor's Non-Partisan League, with duties here in Washington.

Mr. NIXON. That's correct.

Mr. TAVENNER. And that was during the year 1941?

Mr. NIXON. Yes. I don't recall the month. It was in the spring of 1941 that I completed—or didn't complete—I left the Works Progress Administration, and I went with the Labor's Non-Partisan League, and it was in November that I left that employment.

Mr. TAVENNER. And then you went to the United Electrical, Radio, and Machine Workers of America?

Mr. NIXON. Yes, as I've already stated.

Mr. TAVENNER. Now, who was instrumental in your appointment to this new position?

Mr. NIXON. Well, I had had extensive association with the leadership of United Electrical, Radio, and Machine Workers of America, and they had need for someone and, on the basis of contact with me, they asked me to take the position. I don't think there's anything more than that.

Mr. TAVENNER. Who asked you?

Mr. NIXON. Well, as I remember it, it was actually—I talked with all three of the general officers of the United Electrical, Radio, and Machine Workers, Mr. Fitzgerald,¹ Mr. Matles,² and Mr. Emspak³—all three of them.

Mr. TAVENNER. Did you also talk to Mr. Lee Pressman?

Mr. NIXON. Well, I am going to decline to answer any questions about Mr. Lee Pressman for the reasons I have already stated to you.

Mr. TAVENNER. What was Mr. Lee Pressman's position at that time with the UE?

Mr. NIXON. There was no person named Lee Pressman who had any position in the UE at that time.

Mr. TAVENNER. What position did Mr. Pressman hold at that time in the CIO?

Mr. NIXON. I think it is a matter of common knowledge, which you don't need to elicit from me, that he was general counsel of the United—of the CIO.

Mr. TAVENNER. Did you confer with him with regard to the transfer of your work from Labor's Non-Partisan League to the UE?

Mr. NIXON. That question I will refuse to answer for the reasons I have stated to you.

Mr. TAVENNER. Now, what were your duties with the UE when you began your work with that organization in 1941?

Mr. NIXON. Well, I guess we had a lot of foresight in the UE. We opened our Washington office 7 days before Pearl Harbor and, as you know, we represented the bulk of the workers in the electrical, radio, and machine durable consumer goods industries, and initially we were occupied almost exclusively with the manifold problems of the conversion from peacetime production to wartime production, manpower

¹ Albert J. Fitzgerald.

² James J. Matles.

³ Julius Emspak.

problems, production problems, associated economic problems, and we were extremely busily engaged with that.

In addition to that, I carried on, and have in the entire period I have been with the union, the function of representing the union before Congress, congressional committees, contact with the Congressmen and Senators; and, in addition to that, I've carried on sort of a miscellaneous role in the union, speaking at meetings, carrying on activity in connection with our political-action program.

Over a period of 12 years, now, Mr. Tavenner, the duties have been manifold, but always along the same general line.

Mr. TAVENNER. During that long period of experience in that position, did you observe whether or not the Communist Party was active in its effort to control the policies of the UE?

Mr. NIXON. I decline to answer that question for the reasons I have stated to you.

Mr. TAVENNER. Mr. Victor Decavitch testified before this committee on July 14, 1950, during the committee's hearings regarding Communist activities in the Cincinnati, Ohio, area. Mr. Decavitch was a former district president and general vice president of the United Electrical, Radio and Machine Workers of America and was instrumental in organizing for UE the Sunlight Electric Co., a division of General Motors Corp.

(At this point Mr. Nixon conferred with Mr. Scribner.)

Mr. TAVENNER. Mr. Decavitch testified that he went into the Communist Party at the instance of one Henry Fiering—F-i-e-r-i-n-g—in 1941. He remained under Communist Party discipline until December 1945. In the course of his testimony he described an incident which, if true, has a bearing, an important bearing, on the matter of influence, Communist Party influence, in that labor union—

(At this point Mr. Nixon conferred with Mr. Scribner.)

Mr. TAVENNER (continuing). And I want to read it to you.

Mr. Decavitch—D-e-c-a-v-i-t-c-h—testified as follows:

The next gentleman I am going to name is a Washington representative of the United Electrical, Radio and Machine Workers of America, and I think at one time he was one of the most effective, most influential persons in the city of Washington as far as the labor movement was concerned. This man could get to see Secretary of War Patterson, Forrestal, Secretary of the Treasury, any section of the Government practically upon picking up the phone and saying that he is "coming over and I would like to talk to him." His name is Russell Nixon.

I do not know if Mr. Nixon is present in here today or not.

(At this point Mr. Nixon conferred with Mr. Scribner.)

Mr. TAVENNER (continuing to read):

I know that Mr. Nixon was present in a couple of the sessions here previous to me coming up here.

May I stop at that point and ask you whether you were present during Mr. Decavitch's testimony on July 14, 1950?

(At this point Mr. Nixon conferred with Mr. Scribner.)

Mr. KEARNEY. Where is this?

Mr. TAVENNER. In room 226, Old House Office Building, Washington, D. C.

Mr. NIXON. Yes; I was there, Mr. Tavenner.

Mr. TAVENNER (continuing to read):

How do I know that Mr. Nixon belonged to the party?

Two ways: One was we had a big mass rally in Cleveland, Ohio, and Mr. Nixon made many trips out there to attend those rallies and speak. He was

quite an influential speaker and a good leader. He could lead people—something I got to say for the majority of them. They are very well qualified for leading. They are well schooled in that, and we had a big mass meeting out in Gordon Park, I think, Cleveland, Ohio, where one of the national CIO representatives spoke and we had our general president there who happened to be the man who defeated Carey at the election, whose name is Albert J. Fitzgerald.

Well, after the meeting—after the speeches were made—we had quite a good audience out in Gordon Park, out there—me and Nixon somehow became separated from Mr. Fitzgerald, and I had occasion to go with him up to his hotel room, and naturally he probably had already been tipped off that I was considered as one of the members of the Communist Party, and being president of the district, he mentioned to me—he said, “Vic, do you think we will ever be able to convince Fitzzy”—the way we used to call him—Fitzzy is Albert Fitzgerald—“Do you think we will ever be able to convince Fitzzy to think as we do?”

I said, “What do you mean?”

He said, “You know what I mean. Along the line we advocate and think of.”

That is the first time Mr. Nixon made any break along that line that I know of.

He pulls out of his shirt, mind you—he had a clean shirt. You know the way they come back from the laundry. Stuffed in that shirt he had some book on the latest positions of Communists in this country, and he said, “Have you read this book yet?”

I said, “No; I haven’t.”

And I asked, “Why do you carry it in your suitcase like that?”

And he said, “Well, I do not want anyone like a maid to find it if she went through my stuff.”

And he did have the book tucked away.

And upon the saying of Henry Fiering, who was very proud of the fact of having such a representative as Mr. Nixon in Washington who was a member of the Communist Party. I do not know how he knew it, but we did talk about it many times and he was proud of the fact that the UE was able to have such a capable representative as Mr. Nixon.

At a later time Mr. Nixon entered the armed services. He, himself, was sent across. It was pretty close to the end of the war. He was put through his training and he was sent to Europe, and his last talk was at our national convention at New York City. He gave a very stirring speech which was received by the whole convention very enthusiastically and he was given a good send-off.

Now, did you and Mr. Decavitch go to your hotel room as he described in this testimony?

Mr. NIXON. In describing Mr. Decavitch, you neglected to point out that he is a traitor to the labor movement that left its employ and overnight became an employee representing—

Mr. TAVENNER. Will you—

Mr. NIXON. Representing the plant with which we were bargaining.

Mr. TAVENNER. Will you answer the question?

Mr. NIXON. And I am not going to answer your questions—your question about his statement for the reason which I have already stated to this committee.

Mr. TAVENNER. Is there any fact mentioned in his statement which is untrue?

Mr. NIXON. You know me well enough to know that you’re not going to, by any devious way, get me to answer on something that I deem—

Mr. TAVENNER. There is nothing devious about that.

Mr. NIXON. It’s perfectly—

Mr. TAVENNER. It is a plain, straightforward question, Mr. Nixon.

Mr. NIXON. I just said to you I am not going to discuss this matter and this statement with you for the reasons I have stated, and I meant what I said.

Mr. TAVENNER. Mr. Decavitch mentioned the fact you entered the armed services and I believe you have already testified that was in 1944. Had you had any experience, military experience, prior to your entry into the Army at that time?

Mr. NIXON. No, sir; I hadn't. I had no military experience prior to being drafted.

Mr. TAVENNER. Had you been out of the United States prior to 1944 when you went abroad as a member of the Armed Forces?

Mr. NIXON. Yes; I had. When I was married in 1938, my wife and I drove to California and we drove through Canada, one little section, from Niagara Falls to Detroit; and on one occasion, or maybe two occasions—I don't want to be caught in a misstatement here—we went down to Tia Juana and Agua Caliente from Los Angeles. Other than that, I had never been out of the United States.

Mr. TAVENNER. When were you discharged from the United States Army?

Mr. NIXON. I can't be absolutely precise about dates, although I guess I have my discharge in my pocket, but I was discharged as an enlisted man in—it must have been June of 1945, and for about 30 days I was a second lieutenant, or less than 30 days, and thereafter I was demobilized in the demobilization setup just being created outside of Paris at Etampes. That would have been probably July—oh, yes, I know because I recall it was on the weekend of Bastille Day—July 14. So, on that weekend I was demobilized entirely from the Army.

Mr. TAVENNER. Immediately prior to your discharge you were engaged, I believe, according to your testimony, in work with the Allied Control Council, in the Finance Division of it; is that correct?

Mr. NIXON. That's correct, as well as—

Did you ask me just before my discharge?

Mr. TAVENNER. Yes.

Mr. NIXON. Yes; before my discharge I was with the Finance Division of the Allied Control Council. Later I had an additional position.

Mr. TAVENNER. How long had you been at work with the Finance Division of the Allied Control Council prior to your discharge?

Mr. NIXON. It was immediately after the cessation of the Bulge Battle that I received orders to report to the Allied Control Council. That would have been probably in—some time in February 1945. I was up in Givet, which is a small town on the Meuse River of the French-Belgian border.

Mr. TAVENNER. And you served continuously in that work from February, then, of 1945 until the time of your discharge in approximately July—

Mr. NIXON. That's correct.

Mr. TAVENNER. Of the same year?

Mr. NIXON. That's correct.

Mr. TAVENNER. Now, what was the general character of the work being performed by you?

Mr. NIXON. In my first position, as chief of the de-Nazification Section of the Finance Division, I was in charge of the—

Mr. TAVENNER. Now, this is prior to your discharge?

Mr. NIXON. Yes, sir.

I was in charge of the removal of Nazis, active Nazis, in accordance with JCS-1067—removal of active Nazis from the German banks, insurance companies and related financial institutions.

Mr. WALTER. What was your rank at that time?

Mr. NIXON. I was a private first class.

In addition to that—

Mr. TAVENNER. Did you have the rank of T-5—

Mr. NIXON. I never—

Mr. TAVENNER. Or grade?

Mr. NIXON. I never achieved that rank, Mr. Tavenner. I always hoped to be a T-5, but I never got there. I was a buck—well, a private first class.

In addition, I was carrying on certain functions with relationship to the decartelization program, which was under the general jurisdiction of the Finance Department, particularly with regard to I. G. Farben, and I served a period of time before the war ended on an intelligence team headed by a British colonel charged with the intelligence task of locating the German poison gas installations and demobilizing them. We were successful in this effort, and I received the Bronze Star for that activity.

That period covered activity of 3 or 4 weeks, to some degree intertwined with other activity in the general operation which we were engaged in Frankfurt, Germany, at that time, and also other parts of Germany.

Mr. TAVENNER. In what work did you engage after being discharged?

Mr. NIXON. After I was discharged from the Army—

Mr. TAVENNER. Yes.

Mr. NIXON. In Paris?

Subject to a check on dates, I would say at the time I was discharged as a second lieutenant I was Chief of the Financial Intelligence Section, branch of the Finance Division. In that regard, I had overall supervision of the de-Nazification program. I was also in charge of the—direct charge of our efforts to locate the hidden assets of Nazi leaders outside of the boundaries of Germany, in a project that we called Safe Haven, and we were also generally directing attention toward Germany's external assets, although this program had not been crystallized in the Potsdam agreement. It was being crystallized. It hadn't been organizationally crystallized.

And I also served I would say in that period as a member of the Joint Intelligence Committee, headed by, I think it was, Colonel Kruger, operating on a general intelligence problems in Berlin. Allen Dulles was a member of the committee. Professor Hoover of Duke University, and three or four others. We were engaged in various projects—one, for example, a problem of how do you immobilize the German General Staff, and—

Mr. TAVENNER. Now, my question was: What work did you engage in after being discharged from the Army?

Mr. NIXON. That is what I am talking about, sir.

Mr. TAVENNER. Yes.

Mr. NIXON. Yes, sir. That is what I am speaking of.

Mr. TAVENNER. Now, you were apparently assigned to that work as a civilian—

Mr. NIXON. That's correct.

Mr. TAVENNER. Is that correct?

Mr. NIXON. That's correct.

The transition in this particular instance from an enlisted man to second lieutenant to civilian did not pertain to the basic character of the work. This was a rather unusual period, as you can imagine, and the work went on in all of these various situations.

Mr. TAVENNER. Well, what were the circumstances under which you were assigned to this work as a civilian?

Mr. NIXON. Well——

Mr. TAVENNER. I mean, if you were discharged——

Mr. NIXON. Oh, I see.

Mr. TAVENNER. How did it happen you were assigned to work as a civilian?

Mr. NIXON. That's purely a technical question of personnel relationships in the Government, which I don't know too much about.

My work did not change when I took the gold bar off and wore the same uniform. It didn't change. The function was exactly the same. Technically——

Mr. KEARNEY. Technically it was a change from military to a civilian status?

Mr. NIXON. That is correct, but it did not change the character of the work.

Technically, I think all of us were employees of the Treasury Department.

I just couldn't enlighten you on just how this thing worked, but that's about what it was.

Mr. TAVENNER. Our investigation discloses that the Treasury Department, in response to a request from the War Department, sought the transfer of certain individuals who had formerly been employed by the Treasury Department from a military status to a civilian status, and by that means put on the Treasury payroll and continue in work under the direction of the Treasury Department.

Our investigation shows that there were only about six individuals who were on that list and who were, at the request of the Army, so reassigned.

Now, I should ask you at that point whether you had ever at any time been an employee of the Treasury Department prior to your discharge.

Mr. NIXON. No; I hadn't, and the only incorrectness in your statement is that—or maybe it's an inadequacy in your statement—is that there were persons who were not, had never been employees of the Treasury Department.

Mr. TAVENNER. Yes; I am coming to that.

Mr. NIXON. O. K.

Mr. TAVENNER. The action I have explained——

Mr. NIXON. All right.

Mr. TAVENNER. From our investigation is taken as a result of the request of the War Department of the Treasury Department to transfer these former Treasury Department employees.

Mr. NIXON. Well, I don't know how this worked. We were too busy——

Mr. TAVENNER. Now, our investigation further shows that the Treasury Department then prepared another list, a list of individuals

which included you, and recommended to the Department of Army that they be transferred from a military status to a civilian status and placed on the payroll of the Treasury Department; and your name, as I say, was on that second list.

Now, do you know how your name got there?

Mr. NIXON. Well, really, Mr. Tavenner, I don't know how these—the technicalities of these matters—I can tell you what my best impression is about it. The Treasury, as I understood it, had a certain kind of general assignment for responsibility of the Finance Department, and they, Treasury personnel, under the direction of Secretary Morgenthau, were peopling the division, as far as I understood it, and the man in charge at that time, Colonel Bernstein, was a former official of the Treasury Department; and I don't know exactly how it worked at this end, but in my case, to be precise about your question, I was already functioning in the division under the general jurisdiction of the Treasury Department. When we became civilians, we continued in the same general work which, by general agreement, was under the jurisdiction of the Treasury Department.

The only exception that I know to that is that there was in the decartelization aspect of this work a group of people assigned from the Justice Department.

Mr. KEARNEY. Well, let me interrupt you.

May I ask counsel if there is anything unusual in those transfers. If he has some specific reason for asking the witness these questions, the Chair will allow him to proceed. If it is just to pursue a general line of questions as to how transfers in the Armed Forces came about—I think we are both well acquainted with the procedure—let's not waste time going into that. From time immemorial, many of these things have happened and no one knows why the transfer was made.

Mr. TAVENNER. Mr. Chairman, under our investigation—

(At this point Mr. Nixon conferred with Mr. Scribner.)

Mr. TAVENNER (continuing). We found that a group of individuals had been asked to be transferred by the Treasury Department. It may be of some importance to know—and other witnesses have been examined on the subject—as to how their names were obtained and just why it was these particular individuals were transferred.

Mr. WALTER. Now, as I understand it—

Mr. TAVENNER. This witness—

Mr. WALTER. All these men were doing work for the military?

Mr. TAVENNER. Yes.

Mr. WALTER. But, obviously, they weren't being compensated adequately and, thus, all the additional red tape had to be unwound, in order to facilitate the operation, and they were released from military service and went into this work in a civilian capacity.

Mr. TAVENNER. This witness is giving that explanation, and I want to make certain there was no other explanation for it.

Mr. KEARNEY. Did the witness ever make any request to be transferred to this?

Mr. NIXON. I was never in anything except the function I was in. After I left the replacement depot in Givet, the technical arrangements were completely out of my hands.

Mr. TAVENNER. Did you confer with anyone in the Treasury Department about your transfer to this position in the first place—

Mr. NIXON. Oh, no.

Mr. TAVENNER (continuing). While you were in the Army?

Mr. NIXON. Oh, no, sir. As a matter of fact, it was a complete surprise to me. I was sitting there in Givet, and I got two orders the same day—one to report to Paris—I think it was to the Strategic Bombing Survey—and the other one to report to London to the Allied Control Council. When you are in the Army 14 months, you don't know where these things come from. I certainly didn't.

Mr. TAVENNER. Mr. Irving Kaplan was a member of the group working with you while you were in the Army?

Mr. NIXON. Yes. I think that is a matter of record. He was a Treasury employee.

Mr. TAVENNER. Mr. Kaplan was asked to tell the committee the circumstances under which he was assigned to that work and, during the course of the questioning, he was asked whether or not he conferred with you about going to Germany before he went to Germany, and he refused to answer the question on the ground that to do so might tend to incriminate him. Can you throw any light on that answer?

Mr. NIXON. No; I can't read Mr. Kaplan's mind.

Mr. TAVENNER. Well, had you——

Mr. NIXON. I can't——

Mr. TAVENNER. Conferred with him prior to his assignment to that work?

Mr. NIXON. I hadn't been in the United States——

Mr. TAVENNER. That is——

Mr. NIXON. For some period of time.

Mr. TAVENNER. Mr. Irving Kaplan.

Mr. NIXON. I hadn't been in the United States from October 1944.

Mr. TAVENNER. Well, had you conferred with him either personally or through correspondence?

Mr. NIXON. Well, the answer is "No." I don't even—I don't think I knew him. I'm not absolutely sure, but I don't think I knew him before.

Mr. TAVENNER. You have stated that Mr. Bruce Waybur——

Mr. NIXON. No.

Mr. TAVENNER. Have you ever stated Mr. Bruce Waybur was——

Mr. NIXON. No; I have not.

Mr. TAVENNER. Our information is that Mr. Bruce Waybur was one of those who was assigned to this same work with you and placed on the Treasury payroll; is that correct?

Mr. NIXON. My impression is that he was on the payroll of the Treasury. I haven't any direct relationship.

Mr. TAVENNER. Was he engaged in the same work with you?

Mr. NIXON. Yes, sir; he was. He worked for me during a considerable period of the time.

Mr. TAVENNER. Had you known him prior to your military service——

Mr. NIXON. Yes; I had known Bruce Waybur.

Mr. TAVENNER. Here in the District of Columbia?

Mr. NIXON. Yes, sir.

Mr. TAVENNER. He has been identified before this committee by Mary Stalcup¹ as having been a member of the Communist Party. Is that identification correct, as far as you know?

¹ This individual testified under her married name, Mary Stalcup Markward, July 11, 1951.

Mr. NIXON. That is a question I won't answer on the grounds I have already stated to you, Mr. Tavenner.

(At this point Mr. Nixon conferred with Mr. Scribner.)

Mr. KEARNEY. The committee will recess for 5 minutes.

(Whereupon, at 11:41 a. m., the hearing was recessed, to reconvene at 11:46 a. m.)

(The hearing reconvened at 11:49 a. m.)

Mr. KEARNEY. I want to suggest to Counsel that we will adjourn at 12 o'clock because certain members of the committee have to be on the floor and we will reconvene at 2.

(Representative Gordon H. Scherer left the hearing room at this point.)

Mr. TAVENNER. Did you remain in Germany, working while in the employ of the Treasury Department?

Mr. NIXON. I left Germany in January 1946.

Mr. KEARNEY. Let the record show that Mr. Scherer has left.

Mr. TAVENNER. Did you have a fundamental disagreement with the State Department in the manner of handling German assets?

Mr. NIXON. I think it was a fundamental disagreement, Mr. Tavenner. The record of this is very fully spelled out in my testimony before the Senate Subcommittee on War Mobilization, in testimony which I gave in February of 1946. It is very fully spelled out in that official testimony and is part of the record of Congress.

Mr. TAVENNER. And was it your contention at that time that the U. S. S. R. should engage in search for German assets in that area of western Europe which had been assigned to the Allies? Was that the substance of your disagreement?

Mr. NIXON. Well, I had many disagreements with the State Department and with the military government policy, the way it was developing; and, as I say, this is spelled out. If you are interested in information, it is a part of the record you already have in a great more detail than I can possibly give to you off the cuff.

The issue—and this was, mind you, still 1945—was the question of the preservation of the quadripartite approach to the vesting of Germany's external assets everywhere throughout the neutral countries which were under the jurisdiction of the Allied Control Council, as provided in the Potsdam declaration, and my objection was to efforts to disrupt—again, 1945, this quadripartite approach; but, as I say, this is very fully spelled out in my testimony in 1946 which I gave at the request of Senator Kilgore.

Mr. TAVENNER. You issued a public statement in regard to the matter while you were still employed in Germany, did you not?

Mr. NIXON. We had very fine relations with the press, and very interested in my opinion; did a fine job reporting the German story. In 1945, and over a long period of time, we had discussions with the press, and among those discussions was the discussion regarding this aspect of the whole question.

Mr. TAVENNER. And do you have a copy of that statement—

Mr. NIXON. I never prepared—

Mr. TAVENNER. Allegedly made by you?

Mr. NIXON. I never prepared a written statement. I talked to the press when they asked me questions within the range of the material that I could justifiably discuss.

There was no prepared statement, Mr. Tavenner. My statement on

this matter, as I said now three times, is contained in my testimony before the Senate Committee on War Mobilization.

Mr. TAVENNER. Are you familiar with the release made by the State Department on January 8, 1946, in answer to the charges that you had made?

Mr. NIXON. Yes; I'm familiar with all aspects of that controversy.

It's been a long time since I've looked at the material or reviewed it. I would suggest, if you're really interested in any part of it, that you look at my testimony of 1946.

Mr. TAVENNER. Yes. We will do that. In the meantime, will you examine the paper which I am handing you and state whether or not that appears to be the reply or answer to your statement to which you have just referred?

Mr. NIXON. Yes; I think this is a State Department statement.

And, incidentally, Mr. Tavenner, if you are going to put this in the record, I think it is only equitable that you should put in at least that portion of my Senate testimony which deals with this question.

I asked at that time, as a matter of fact, that the State Department come up and testify in the same hearings, but they never saw fit to do so.

Mr. TAVENNER. I desire to offer the document in evidence——

(At this point Mr. Nixon conferred with Mr. Scribner.)

Mr. TAVENNER (continuing). As Nixon exhibit No. 1.

Mr. KEARNEY. Received.

(The Department of State statement dated January 8, 1946, was received in evidence as Nixon exhibit No. 1.)

Mr. NIXON. What about my request?

Mr. WALTER. What is it?

Mr. TAVENNER. It is the answer from the State Department to his allegations.

Mr. NIXON. What about my request?

Mr. TAVENNER. And I think as a part of the record, if it is published, if this is published, it should, of course, include a proper description of what your testimony was there.

Mr. NIXON. I would suggest——

Mr. WALTER. Well, it seems to me before this is made a part of the record it ought to show clearly what this is in answer to.

Mr. TAVENNER. Well, if you know of any way to get a copy of the statement, we would like to have it.

Mr. NIXON. Here it is, Mr. Tavenner. I'll give it to you at the end of the hearings.

Mr. TAVENNER. The statement which you made to which this is a reply?

Mr. NIXON. I explained to you—and you must understand—that that was a discussion with the newspapermen. I presume that is what you are referring to.

Mr. TAVENNER. Well, do you have a copy of it?

Mr. NIXON. I told you—and listen carefully—there was never a statement in writing that was given out; that the press reports to which I assume you are referring was a report in the press on the basis of discussion with me in the orderly interview and procedure of the press.

Mr. TAVENNER. Do you have a copy of that press report?

Mr. NIXON. There was no press report. There was—there was an item in the press. There were many items in the press.

Mr. TAVENNER. Regardless of what you call it, do you have a copy of it?

Mr. NIXON. Do I have a clipping of the newspapers?

Mr. TAVENNER. Yes.

Mr. NIXON. Not with me, and I am sure you can get it easier than I can, and you are more than welcome to it.

Mr. WALTER. Is it a part of the record you are referring to?

Mr. NIXON. No, sir. The statement that I would want to have to clarify the record on this particular question is my testimony in hearings before the subcommittee of the Committee on Military Affairs of the United States Senate, 79th Congress, on February 25, 1946. That deals quite adequately in my opinion with this whole matter.

(Representative James B. Frazier, Jr., left the hearing room at this point.)

Mr. NIXON. I would not be satisfied to have what you—I forget your language exactly—something that describes my testimony. I would suggest that my statement be included because you are not putting in a description of what the State Department said. You are putting in what the State Department said and I would want the same kind of consideration, and I am prepared to furnish you with this material.

Mr. KEARNEY. Do you have a copy of the statement?

Mr. NIXON. Oh, yes, sir, of the testimony before the Senate subcommittee.

Is that what you're referring to, sir?

Mr. KEARNEY. I am referring to the release that was just handed to me, in which it states here:

The statement issued by Mr. Nixon is full of mischievous inaccuracies and misleading innuendoes.

What statement is that?

Mr. NIXON. Well, I'm quite a patient person, and I don't mind going over it again for a third time.

Mr. KEARNEY. Well, let's not be facetious about this.

Mr. NIXON. I am not being facetious.

Mr. KEARNEY. I am a patient person, too.

Mr. NIXON. I am not being facetious, Mr. Kearney.

Mr. KEARNEY. I would like to know what the statement is.

Mr. NIXON. I have told you twice, and this is the third time. I have never prepared or issued a written statement on this matter.

Mr. WALTER. What is this a reply to?

Mr. NIXON. It is a reply to press reports which appeared in the United States newspapers.

Mr. WALTER. Well, do you remember what you were alleged to have said?

Mr. NIXON. Do I remember what I was alleged to have said?

Mr. WALTER. Yes.

Mr. NIXON. Well, in a general way, I—

Mr. WALTER. What was it?

Mr. NIXON. Are you asking me now to recall my press conferences in 1946?

Mr. WALTER. To the best of your recollection.

Mr. NIXON. I'm telling you that the way to find out about this, Mr. Walter, is in the statement—

Mr. WALTER. I think you ought to put this in the record for just whatever it is worth.

Mr. NIXON. That's fine.

(At this point Mr. Nixon conferred with Mr. Scribner.)

Mr. NIXON. Well, now, just for this record, I would suggest, if you're really interested in this, that you put in the press clippings about this matter and that you also put in——

Mr. KEARNEY. That is what I was trying to get at a minute ago.

Mr. NIXON. Yes.

Mr. KEARNEY. Do you have a copy of those press clippings?

Mr. NIXON. I may have in my files somewhere, Mr. Kearney.

Mr. KEARNEY. The committee will recess until 2 o'clock, and in the meantime see if you can find out——

Mr. NIXON. Well, just a moment.

Mr. KEARNEY (continuing). Whether you have them.

Mr. NIXON. My files are not here in Washington. I do not have——

Mr. KEARNEY. The committee will recess until 2 o'clock.

(Whereupon, at 12 noon, the hearing was recessed, to reconvene at 2 p. m., of the same day.)

AFTERNOON SESSION

(At the hour of 2 p. m., of the same day, the hearing was resumed, the following committee members being present: Representatives Bernard W. Kearney (presiding), Gordon H. Scherer, Francis E. Walter, and Clyde Doyle.)

Mr. KEARNEY. (presiding). The committee will be in order. Let the record show present Mr. Scherer, Mr. Walter, Mr. Doyle and Mr. Kearney, members of the subcommittee.

TESTIMONY OF RUSSELL ARTHUR NIXON, ACCOMPANIED BY HIS COUNSEL, DAVID SCRIBNER—Resumed

Mr. TAVENNER. Mr. Nixon, do you recall whether there were any unusual circumstances surrounding the termination of service of Irving Kaplan who served with you in Germany as a civilian employee of the Treasury Department?

Mr. NIXON. To the best of my knowledge, and responding to the rather vague phrase, "unusual circumstances," I would say no, I don't know.

Mr. TAVENNER. Let me see if this would refresh your recollection about what occurred. In the course of the testimony of Mr. Irving Kaplan there was presented to him a photostatic copy of a telegram from the Office of Military Government for Germany to the War Department, and the telegram read as follows:

Important Irving Kaplan be recalled immediately. Use high air priority. On finance investigation and other matters Treasury interest.

Did you have anything to do with the formulation of that telegram, the sending of it?

Mr. NIXON. Did you say that was a wire from Washington to Berlin or Berlin to Washington?

Mr. TAVENNER. No, from Berlin to Washington.

Mr. NIXON. I really couldn't recall the details of that, Mr. Tavenner. It was quite a long time ago, and we had a good many different personnel problems, and I probably would at some stage have been in-

volved in that since he was working under my direction, but I don't recall the special circumstances.

Mr. TAVENNER. Let me read you from a photostatic copy of an interdepartmental communication on that subject which may recall the incident to your memory.

The date of the telegram that I just read was December 10, 1945.

On December 13, 1945, there was an interdepartmental communication from Colonel Bernstein to Messrs. White, Coe,¹ and Ullmann, U-I-l-m-a-n-n, which read as follows:

As you know, Kaplan's name was included in the list of 25 names we requested the War Department to recall. Do you want to make a stronger specific request for his recall?

Mr. NIXON. That was a Washington departmental memo?

Mr. TAVENNER. Yes.

Mr. NIXON. I was in Berlin, Mr. Tavenner.

Mr. TAVENNER. I understand, but did you have any communication that you can recall with Mr. Harry Dexter White, Mr. Frank Coe, or Mr. William Ludwig Ullmann in regard to the recall of Mr. Irving Kaplan?

Mr. NIXON. To the best of my knowledge, I don't recall it. As I said before, there were a considerable number of personnel problems and many of them involved desires to return home, and other things of that sort, and I wouldn't want to be held absolutely to this, but to the best of my knowledge, I never had any correspondence of that character.

Mr. TAVENNER. Do you recall any particular controversies over a report which Mr. Kaplan prepared relating to the subject of the Farben investigation?

Mr. NIXON. Yes, I vaguely recall. Of course, the Farben investigation was a very important part of our work and there were considerable elements of controversy involved around the question of whether or not the big German war trust of Farben was going to be effectively immobilized, and Mr. Kaplan was involved in some of that work. If my memory serves me right, he wrote a report on the status of it toward the end of the year.

Now, again, this part—I am not speaking specifically about this subject—was pretty fully laid out in my testimony before the Senate subcommittee in February 1946. I haven't reread that testimony in many years, and it would not be very fruitful for me to try to remember the details of that situation, particularly inasmuch as it is pretty well documented already in the Senate committee report.

Mr. TAVENNER. Now, when you were transferred from military status to that of civilian was it necessary for you to file an application for a passport?

Mr. NIXON. I don't believe so. In these circumstances you fill out an awful lot of papers, but I am pretty—well, now, let me see. I am afraid I wouldn't be sure. I know that we were given passports. Whether or not at the time that we transferred from military to civilian status we signed papers for the passport I don't recall. Seems to me there was some contact with the United States Embassy in Paris, but—

¹ Harry Dexter White (now deceased), Frank Coe, and William Ludwig Ullmann.

Mr. TAVENNER. Our investigation discloses that an application for passport was filed by you.

Mr. NIXON. I just didn't recollect that.

Mr. TAVENNER. And you gave as a reference, according to our investigation, the name of Julius Emspak; do you recall that?

Mr. NIXON. Well, no. I just told you I didn't even recall filing the application, so, obviously, I wouldn't recall any—

Mr. WALTER. Show him the application there, Mr. Tavenner.

Mr. TAVENNER. Well, I show you a photostatic copy of your application and ask you to state whether or not you did give Mr. Julius Emspak as a reference.

Mr. NIXON. Yes, according to this, I gave the names of Mr. Emspak and Mr. Mason.¹ I have no reason to question that. I hadn't recalled it.

Mr. TAVENNER. How long had you known Mr. Julius Emspak?

Mr. NIXON. Since some time in 1941, when I was working at Labor's Non-Partisan League, which was, as I told you earlier, the legislative representative of the CIO, at that time I came to know Mr. Emspak in his position as general secretary-treasurer of the United Electrical, Radio and Machine Workers.

Mr. TAVENNER. Was he a person known to you to be a member of the Communist Party during any period of time that you were employed by the UE?

Mr. NIXON. You recall my statement this morning of refusal to answer certain questions, and I decline to answer that question on the grounds I stated this morning.

Mr. SCHERER. Did you know at the time you gave his name as a reference on that application for passport that he was a member of the Communist Party?

Mr. NIXON. Obviously, Mr. Scherer, my declination to answer Mr. Tavenner's question applies to your question for the same reasons.

Mr. SCHERER. I understood you would answer it that way.

Mr. NIXON. Yes, sir. It is perfectly clear, for the reasons I stated this morning to the committee.

Mr. TAVENNER. Were you acquainted with Mr. William Ludwig Ullmann, an employee of the Treasury Department?

Mr. NIXON. I think I will have to decline to answer that question on the basis—on the same reasons I gave this morning.

Mr. SCHERER. What was your question, Mr. Tavenner?

Mr. TAVENNER. My question was whether or not he was acquainted with Mr. William Ludwig Ullmann, an employee of the Treasury Department.

Mr. SCHERER. You refuse on the basis that to say whether you knew an employee of the Treasury Department might tend to incriminate you?

Mr. NIXON. Mr. Scherer, I refuse to answer it on the basis of all the reasons I gave this morning.

Mr. SCHERER. Which includes the fifth amendment?

Mr. NIXON. It includes all of the words which I said to the committee this morning in giving my reason to refuse to answer such question.

Mr. SCHERER. Mr. Chairman, I move that the witness be directed to answer the question as to whether he knew Mr. Ullmann at that

¹ Full name appearing on passport application, Edwin S. Mason.

time. I can't see on what basis that answer might tend to incriminate him.

Mr. KEARNEY. What was your answer, Mr. Nixon?

Mr. NIXON. I decline to answer for the same reasons I stated this morning.

Mr. KEARNEY. On the grounds of the first and fifth amendments?

Mr. NIXON. On the grounds of the complete statement I made this morning.

Mr. KEARNEY. Let's not quibble about it.

Mr. NIXON. Please let's don't.

Mr. KEARNEY. It is on the grounds of the first and fifth amendments, isn't it?

Mr. NIXON. I carefully stated my reason and I wouldn't care to——

Mr. KEARNEY. You stated a lot of reasons.

Mr. NIXON. That is right, and I wouldn't want now or later to restate my reasons.

Mr. KEARNEY. It includes the first and fifth amendments, does it not?

Mr. NIXON. It includes that.

Mr. KEARNEY. Well, at least we are getting somewhere.

Proceed.

Mr. TAVENNER. Were you acquainted with Mr. Harry Dexter White?

Mr. NIXON. I decline to answer that question for reasons already stated.

Mr. TAVENNER. Were you acquainted with Mr. Frank Coe, C-o-e?

Mr. NIXON. I decline to answer that question for reasons already stated.

Mr. SCHERER. Have all these men you are mentioning now been identified as members of the Communist Party?

Mr. TAVENNER. They have.

(At this point Mr. Nixon conferred with Mr. Scribner.)

Mr. TAVENNER. Were you acquainted with Mr. Nathan Gregory Silvermaster?

Mr. NIXON. I decline to answer that question for reasons already stated.

Mr. SCHERER. I think, Mr. Counsel, the record at this point should indicate who Silvermaster is. We all know, but perhaps for the record you should indicate who he was.

Mr. TAVENNER. Mr. Silvermaster is a person who was identified by witnesses before this committee as having engaged in espionage work and as having been a member of an underground group of the Communist Party in Washington. He has appeared before the committee and has refused to testify as to material questions that were asked him.

(At this point Mr. Nixon conferred with Mr. Scribner.)

Mr. TAVENNER. After your return to this country from service in Germany, I believe you said you took up again your former employment with the UE. Is that correct?

Mr. NIXON. That is correct.

Mr. TAVENNER. Where were you stationed during this period after your return to this country?

Mr. NIXON. In Washington.

Mr. TAVENNER. In Washington?

Mr. NIXON. Yes, sir.

Mr. TAVENNER. Mr. Nixon, during the hearings which were conducted by this committee in Philadelphia in 1952, in fact in October 1952, a witness by the name of Samuel Di Maria appeared. In the afternoon session of the day on which he appeared the following questions were asked him and answers given:

Mr. TAVENNER. Mr. Di Maria, at the close of the morning session you were describing to us how you became a member of a commission which had to do with the reorganization of Communist Party cells within industry, and you told us something of the purposes of and the work of that commission. According to my recollection, you testified that on your return from the service you met with a group of Communist Party members and that you were selected by that group to be a member of this commission of the Communist Party. Were the members of that group which selected you just rank-and-file members of the Communist Party or did they constitute some official body of the Communist Party?

Mr. DI MARIA. They constituted an official body of the Communist Party in the sense that many of the members at that meeting were members of the District Committee of the Communist Party.

Mr. TAVENNER. Do you recall how many persons comprised the commission to which you were appointed?

Mr. DI MARIA. Yes, I believe there were three other members other than myself.

Mr. TAVENNER. Who were they?

Mr. DI MARIA. The commission to which I was elected consisted of Philip Bart, district organizer of the Communist Party—

Mr. TAVENNER. Will you speak a little louder?

Mr. DI MARIA. Philip Bart, district organizer of the Communist Party, Joseph Kuzma, trade-union secretary of the Communist Party, Dave Davis, a member of the District Board of the Communist Party, and myself.

Mr. TAVENNER. Do you recall the occasion of the first meeting of that commission which you attended?

Mr. DI MARIA. Yes, I do.

Mr. TAVENNER. Where was that meeting held?

Mr. DI MARIA. That meeting was held at the home of Philip Bart, district organizer of the Communist Party.

Mr. TAVENNER. Can you tell us approximately the time that that meeting was held?

Mr. DI MARIA. I believe that that meeting was held—it was during the year 1947, probably in the very early summer or late spring.

Mr. TAVENNER. What of importance occurred at that meeting?

Mr. DI MARIA. I had been advised by Dave Davis and Philip Bart to prepare a report on the actual work of that commission, its failures, its successes and its prospects for future work, to be given to the person who was in charge of that work on a national basis within the UE. I did so, and I prepared such a report.

Mr. TAVENNER. Well, was that report presented at some future meeting?

Mr. DI MARIA. No, that report was presented at that meeting?

Mr. TAVENNER. At that meeting?

Mr. DI MARIA. That is correct.

Mr. TAVENNER. At that meeting, in other words, prior to that meeting you had been directed to prepare this report?

Mr. DI MARIA. That is correct.

Mr. TAVENNER. Now, will you be a little more specific as to what this report was to cover?

Mr. DI MARIA. This report covered the activity of this commission of the Communist Party with respect to its successes and failures in reactivating the Communist Party branches within Local 155, RCA, General Electric and Westinghouse.

Mr. TAVENNER. Now, you say that report was to be made to someone from a higher level?

Mr. DI MARIA. That is correct.

Mr. TAVENNER. Were you told at that time to whom the report was to be made?

Mr. DI MARIA. I was.

Mr. TAVENNER. Who was that person?

Mr. DI MARIA. Russ Nixon, legislative director of the UE.

Mr. TAVENNER. Do you know whether Russ Nixon is the same person as Russell Nixon?

Mr. DI MARIA. I believe he is.

Mr. TAVENNER. Was Russell Nixon present at the time you were given instructions to prepare the report?

Mr. DI MARIA. No, he was not.

Mr. TAVENNER. Was he present at the time the report was made and delivered?

Mr. DI MARIA. Yes, sir, he was.

Mr. TAVENNER. Was any other person present?

Mr. DI MARIA. Philip Bart, district organizer of the Communist Party.

Mr. TAVENNER. Did you make the report?

Mr. DI MARIA. I did.

Mr. TAVENNER. Was that report made to both Philip Bart and Russ Nixon at the same time?

Mr. DI MARIA. It was.

Mr. TAVENNER. At the meeting of the three of you?

Mr. DI MARIA. That is correct.

Mr. TAVENNER. Where was that meeting held?

Mr. DI MARIA. At the home of Philip Bart, a district organizer of the Communist Party.

Mr. TAVENNER. Can you tell us more definitely when that meeting was held? I think you have already stated it, but I want to know whether you could be more definite as to the time?

Mr. DI MARIA. No, sir, I cannot. My best recollection is that it was in the late spring of 1947.

Mr. TAVENNER. When you were directed to prepare this report, who gave you those directions?

Mr. DI MARIA. Philip Bart, district organizer of the Communist Party.

Mr. TAVENNER. What did he advise you about the making of the report—

(At this point Mr. Nixon conferred with Mr. Scribner.)

Mr. TAVENNER (continuing to read) :

that is, to whom it was to be made and the circumstances under which it was to be made?

Mr. DI MARIA. Well, as I have already answered, sir, he advised me to make as detailed a report as possible to be given to the person who was in charge of the same type of work that I was functioning on in this commission, only on a national basis.

Mr. TAVENNER. That is, a person who is operating on a higher level in the Communist Party, is that what you mean?

Mr. DI MARIA. Yes.

Mr. TAVENNER. Did he tell you at the time that Russ Nixon was the person to whom the report was to be made?

Mr. DI MARIA. He did.

Mr. TAVENNER. Then at the time that you were to make the report I understand Russ Nixon appeared and Philip Bart was also there?

Mr. DI MARIA. That is correct.

Mr. TAVENNER. Well, now, tell us what occurred when that report was made, and tell us the substance of the report and everything that occurred that you can recall.

(At this point Mr. Nixon conferred with Mr. Scribner.)

Mr. TAVENNER (continuing to read) :

Mr. DI MARIA. Well, I gave the report, and from the facts of the report itself the report did not speak of any great success in reactivating the Communist Party branches at RCA, General Electric, or Westinghouse.

(At this point Mr. Nixon conferred with Mr. Scribner.)

Mr. TAVENNER (continuing to read) :

The only place where the Communist Party branch had again been organized successfully was within Local 155.

Mr. TAVENNER. And, of course, in that testimony you are confining it to the Philadelphia area?

Mr. DI MARIA. That is correct.

Mr. TAVENNER. In your observations from this area?

Mr. DI MARIA. Well, the only areas, or this is the only area that I have any experience with.

Mr. TAVENNER. I want to make certain that you are speaking only of the Philadelphia area.

Mr. DI MARIA. That is right, and when I concluded the report it was discussed in detail and it was pointed out that the main weakness of the report dealt with the fact that local 155 was the least important to the Communist Party reorganization when compared with the great number of people who worked at General Electric, Westinghouse or RCA and, therefore, that more emphasis should be given to rebuilding the Communist Party branches in those particular places other than local 155.

Mr. TAVENNER. Who pointed that out to you?

Mr. DI MARIA. Both Philip Bart and Russ Nixon.

Mr. TAVENNER. What comment or what was the language, if you can recall, of Russ Nixon in pointing out that weakness which your report disclosed?

Mr. DI MARIA. Well, I remember specifically Russ Nixon stating that "I don't give a damn about 155. I am more interested in the building of the Communist Party organizations in General Electric, Westinghouse and RCA. Unless the Communist Party is going to be rebuilt on a solid foundation within those three plants then the UE certainly will not be able to carry on its program and its policies in a correct manner and fashion within those plants."

Now, Mr. Nixon, did you advocate at that meeting described by Mr. Di Maria or at any other meeting, the reorganization of the Communist Party in General Electric, Westinghouse, and RCA?

Mr. NIXON. Obviously, Mr. Tavenner, I am not going to discuss that statement or answer that question on the grounds that I have already stated to the committee.

Mr. TAVENNER. Did you receive the report prepared by Mr. Di Maria regarding the successes and failures of the Communist Party in its reorganization efforts?

Mr. NIXON. To that question and any subsequent question about this particular matter I will respond in the way I have; I decline to answer on the grounds already stated.

Mr. SCHERER. Is any of the testimony that counsel just read to you untrue?

Mr. NIXON. My answer to Mr. Tavenner applies to you, Mr. Scherer. I decline to answer the question on the same ground that I stated this morning.

Mr. TAVENNER. Were you in 1947 engaged in an effort to reorganize the Communist Party within any field of labor or branch of labor?

Mr. NIXON. I decline to answer that question on the grounds stated.

Mr. TAVENNER. You have described your position with the UE over a long period of time as that of legislative representative. I believe that is the term you used?

Mr. NIXON. Yes. We don't have a formal title set up in our union. I am referred to as Washington representative, sometimes as legislative representative.

Mr. TAVENNER. And your principal duty as a legislative representative is to lobby in Washington, particularly while Congress is in session, on matters in which your union is interested?

Mr. NIXON. I wouldn't say that was my principal activity. That is one of my important activities representing the workers of the union.

Mr. SCHERER. After this testimony today, Mr. Nixon, you can stay away from 333 House Office Building.

Mr. NIXON. I don't think I will lose very much by that, Mr. Scherer.

Mr. KEARNEY. Proceed, Mr. Tavenner.

Mr. TAVENNER. Did other labor organizations also have legislative representatives in Washington?

Mr. NIXON. At what time, Mr. Tavenner?

Mr. TAVENNER. During the time that you held that position.

Mr. NIXON. Oh, yes.

Mr. TAVENNER. Was there any means of cooperation developed between you as the legislative representative of your union and the representatives of other labor organizations?

Mr. NIXON. During the period that we were in the CIO we had the CIO legislative committee which generally coordinated its activity and programs in Washington in the legislative field.

Mr. TAVENNER. During that period of time did you become acquainted with Mrs. Dorothy K. Funn, who was the legislative representative holding a similar position to that of yours, except that she represented the National Negro Congress?

Mr. NIXON. I decline to answer that question on the grounds already stated.

Mr. TAVENNER. Mrs. Funn testified in a hearing recently conducted in New York City on May 4, 1953. The following questions and answers occurred during that hearing:

Mr. KUNZIG. Well, now, you yourself, you said, were a legislative representative?

Mrs. FUNN. That is right.

Mr. KUNZIG. That is what is generally known, I believe—

(At this point Mr. Nixon conferred with Mr. Scribner.)

Mr. TAVENNER (continuing to read):

to the public as a lobbyist, would that be correct?

Mrs. FUNN. Yes.

Mr. KUNZIG. Now, as a lobbyist I presume you came in contact with other lobbyists?

Mrs. FUNN. I did.

Mr. KUNZIG. Did you come in contact—I want you to think very seriously over this question. Were any other legislative representatives or lobbyists whom you knew to be members of the Communist Party?

(At this point Mr. Nixon conferred with Mr. Scribner.)

Mr. TAVENNER (continuing to read):

Mrs. FUNN. I came in contact with a great number of legislative representatives, some whom I found later were members of the party, because they met with me in the group, in the Communist Party group there in Washington. There were regular meetings of the legislative representatives, regular Communist Party meetings of the legislative representatives in Washington.

Mr. KUNZIG. You mean the Communist Party held meetings of Communist Party members who were also legislative representatives?

Mrs. FUNN. That is right.

(At this point Mr. Nixon conferred with Mr. Scribner.)

Mr. TAVENNER (continuing to read):

Mr. KUNZIG. And they met as Communist Party members together?

Mrs. FUNN. That is right.

(At this point Mr. Nixon conferred with Mr. Scribner.)

Mr. TAVENNER. Then there was an interruption by committee members on a slightly different angle, and Mr. Kunzig then asked this question:

Mrs. Funn, can you search your memory carefully and recall, if you can, the names of those people who were legislative representatives of other groups with

whom you met as Communists together in Washington, D. C., during the period, I believe it was from 1943 to 1946, is that correct?

Mrs. FUNN. Yes. Well, I can, I think I can remember some of them.

And the witness then proceeds to mention several persons. Among them was the name of Harriet Bouslog, who was the representative of the International Longshoremens and Warehousemens Union.

May I stop the reading of this testimony to ask you if you were acquainted with Harriet Bouslog?

Mr. NIXON. Generally in regard to that question and any questions you may ask me about this aspect of Mrs. Funn's testimony I will decline to answer on the same grounds as I declined this morning.

Mr. TAVENNER. The witness then proceeded to identify certain other persons, and then was asked this question :

Mr. KUNZIG. Did you know a Russell A. Nixon?

Mrs. FUNN. Yes, I knew him. He was originally the—I think he was originally with the CIO, but I know he joined the United Electrical, Radio and Machine Workers of America as their representative.

Mr. KUNZIG. Did you know him to be a member of the Communist Party?

Mrs. FUNN. He met with the group.

Mr. KUNZIG. Could you keep your voice up—

Mr. WALTER. Now, is that, Mr. Tavenner, as far as she ever went, "met with the group"?

Mr. TAVENNER. No, sir.

Mr. WALTER. You see, that is not responsive.

Mr. TAVENNER. No, sir, that is explained—

Mr. WALTER. And as far as other people who met with the same group is concerned, they deny they have ever been Communists and point to her testimony that is not responsive.

Mr. TAVENNER. I think that is explained in the questions that follow :

Mr. CLARDY. I would like to ask you a question there. You said you met with the group—

(At this point Mr. Nixon conferred with Mr. Scribner.)

Mr. TAVENNER (continuing to read) :

Mr. CLARDY. I think counsel's question was, Did you know Nixon as a member of the Communist Party?

Mrs. FUNN. Yes, that is the answer.

Mr. KUNZIG. I think, sir, it is already on the record that all of these people who met with this group, as I understand it—

Mrs. FUNN. That is right.

Mr. KUNZIG. Were members of the party, is that correct?

Mrs. FUNN. I tried to make that very clear, that no one who was not a member of the party could attend these specific meetings.

And she had so described it in the earlier part of her testimony.

Mr. TAVENNER (continuing to read) :

Mr. KUNZIG. So that any other names you mention from now on that met with you in the group you mean are members?

Mrs. FUNN. Are members.

Mr. KUNZIG. Or you knew them as members of the Communist Party?

Mrs. FUNN. As members of the Communist Party, that is correct.

Mr. VELDE. In what capacity was Mr. Nixon acting?

Mrs. FUNN. Legislative representative of the United Electrical, Radio and Machine Workers of America.

And the questioning continued, then, with regard to other persons.

Now, Mr. Nixon, was Mrs. Funn correct in identifying you as having attended Communist Party meetings composed of legislative

representatives of various organizations here in the District of Columbia?

MR. NIXON. As I have made abundantly clear, I decline to answer that question for reasons already stated.

MR. TAVENNER. Did you ever sit in a Communist Party meeting with Mrs. Funn?

MR. NIXON. The answer is the same, Mr. Tavenner.

MR. TAVENNER. Are you now a member of the Communist Party?

MR. NIXON. For the reasons I have already made clear to you, I decline to answer that question.

MR. KEARNEY. Well, if you were not a member of the Communist Party, Mr. Nixon, would you so state to the committee?

MR. NIXON. Gee, you sure almost tricked me there, Mr. Chairman. I think that is obviously the same kind of question, and I refuse to answer your question on the grounds I have already stated.

(At this point Mr. Nixon conferred with Mr. Scribner.)

MR. TAVENNER. Mr. Nixon, were you a member of the Communist Party at any time during your service in Germany either as a member of the Armed Forces or while on the payroll of the Treasury Department?

MR. NIXON. I decline to answer that question for reasons already stated.

MR. TAVENNER. Were you a member of the Communist Party at any time while you were a legislative representative of the UE?

MR. NIXON. I believe the same answer for the same reasons to your question.

MR. TAVENNER. Were you a member of the Communist Party at any time, or of the Young Communist League at any time while you were a student at Harvard University?

MR. NIXON. I give you the same declination, Mr. Tavenner, on the same grounds as already stated.

MR. TAVENNER. Were you a member of the Communist Party at any time you were a teacher at Radcliffe College, at Massachusetts Institute of Technology, or at Harvard University?

MR. NIXON. For reasons already stated I decline to answer.

MR. TAVENNER. I have no further questions, Mr. Chairman.

MR. KEARNEY. Mr. Scherer?

MR. SCHERER. I have no questions.

MR. KEARNEY. Mr. Walter?

MR. WALTER. Mr. Nixon, from what I understand, this Dorothy Funn was lobbying for FEPC legislation and some modifications to the Wage-Hour Law, and other similar legislation. Were you not lobbying for the same thing, or at least interested in the same causes?

MR. NIXON. The program of my union, which I have always been an advocate of in my years here, has always included a vigorous fight for the enactment of permanent FEPC legislation.

MR. WALTER. Yes, and during the course of the activity on behalf of that legislation you conferred frequently with other people who were interested in the same legislation, did you not?

MR. NIXON. Why, yes. In all the years of work here there has been conferences with other people.

MR. WALTER. And during the course of those conferences didn't you come in contact with Dorothy Funn?

Mr. NIXON. Well, I won't be led into discussion of her by this route, Mr. Walter.

Mr. WALTER. I am not trying to lead you into anything.

Mr. NIXON. I am just saying I will not discuss Mrs. Funn for reasons which I have stated to this committee.

Mr. WALTER. Well, now, certainly you are not seriously contending that the answer to that question might subject you to criminal prosecution, are you?

Mr. NIXON. I am declining to answer the question, as you know, on several grounds which I have stated, and I know that you as a lawyer know the breadth of my right to make that claim—

Mr. WALTER. Yes.

Mr. NIXON. And you know, also, that it would be wrong for you, particularly for you men as lawyers to draw any inference from the utilization by me of that constitutional provision.

Mr. WALTER. Well, I am going to be a little bit more frank with you than you have been with us. I am interested, and I pursue this line of questioning with the hope that perhaps we could find out about meetings that Dorothy Funn attended in order to determine whether or not there were two types of meetings. That is my sole purpose. But if you want to raise the objection, of course, there is nothing to stop it. I have nothing further.

Mr. KEARNEY. Mr. Doyle.

Mr. DOYLE. You mentioned, Mr. Nixon, you said "during the period we were in the CIO." When did that period cease?

Mr. NIXON. We left the CIO in—

(At this point Mr. Nixon conferred with Mr. Scribner.)

Mr. NIXON. November—November 1949, at the time of the—just prior to the CIO convention in the city of Cleveland.

Mr. DOYLE. And at the time that you refer to as your union having left the CIO, were you at that time the legislative representative of your union in the CIO?

Mr. NIXON. Yes, my period of being legislative representative covered that time.

Mr. DOYLE. And it had dated back approximately how long prior to the time you left the CIO?

Mr. NIXON. Well, as I testified this morning, I entered into the position with the UE in November of 1941.

Mr. SCHERER. Will you yield for one question, Mr. Doyle?

Mr. DOYLE. Yes.

Mr. SCHERER. Was this a voluntary leaving of the CIO?

Mr. NIXON. Yes, sir, it was more than voluntary, Mr. Scherer. It was a proclaimed leaving on our part. The details of this have been made available this year in testimony to the Senate Labor Committee and to the House Labor Committee, and last year before the Humphrey subcommittee of the Senate Labor Committee. It has been very, very lengthily discussed, and our position, the facts as we see them on that are on the record of the Congress several different places.

Mr. DOYLE. I notice you refer in your statement and in the press release to the Dennis¹ case, that is, to the minority opinion of the Dennis case. I believe that the Dennis case came from the United States Supreme Court June 4, 1941. I have the text, the full text of the decision here before me.

¹ Eugene Dennis, convicted among 11 top Communists under the Smith Act.

Mr. NIXON. You mean 1951, don't you?

Mr. DOYLE. Correct. In view of the fact that your statement and press release does, and your testimony here today does emphasize so much the freedom of speech, and so forth, I think, Mr. Chairman, it might be appropriate just at this point for 2 or 3 paragraphs from that majority opinion of that decision to go into the record.

You didn't mention the majority decision and what it held—

Mr. NIXON. No, I think that is perfectly—

Mr. DOYLE. And, of course, this is a government of laws, not of men, and the majority of the Supreme Court of the United States determines what the law is—

(At this point Mr. Nixon conferred with Mr. Scribner.)

Mr. NIXON. Mr. Doyle, you might be—

Mr. DOYLE. And you are supposed to be bound by it.

Now, let me just read a paragraph or two.

Mr. NIXON. Sure.

Mr. DOYLE (reading) :

Speech is not an absolute, above and beyond control by the legislature when its judgment, subject to review here, is that certain kinds of speech are so undesirable as to warrant criminal sanction. Nothing is more certain in modern society than the principle that there are no absolutes, that a name, a phrase, a standard, has meaning only when associated with the considerations—

(At this point Mr. Nixon conferred with Mr. Scribner.)

Mr. DOYLE (continuing to read) :

which gave birth to the nomenclature.

The mere fact that in the period 1945 to 1948 petitioners' activities did not result in an attempt to overthrow the Government by force and violence is, of course, no answer to the fact that there was a group that was ready to make the attempt.

(At this point Mr. Nixon conferred with Mr. Scribner.)

Mr. DOYLE (continuing to read) :

The Communists have no scruples against sabotage, terrorism, assassination, or mob disorder; but violence is not with them, as with the anarchists, an end in itself. The Communist Party advocates force only when prudent and profitable. * * * They resort to violence as to truth, not as a principle but as an expedient. Force or violence as they would resort to it, may never be necessary, because infiltration and deception may be enough.

Unless we are to hold our Government captive in a judge-made verbal trap, we must approach the problem of a well-organized nationwide conspiracy, such as I have described, as realistically as our predecessors faced the trivialities that were being prosecuted until they were checked with a rule of reason. I think reason is lacking for applying that test to this case.

And then, finally—

Having held that a conspiracy alone is a crime and its consummation is another, it would be weird legal reasoning—

(At this point Mr. Nixon conferred with Mr. Scribner.)

Mr. DOYLE (continuing to read) :

to hold that Congress could punish the one only if there was clear and present danger of the second. This would compel the Government to prove 2 crimes in order to convict for 1.

The Communist Party realistically is a state within a state—

(At this point Mr. Nixon conferred with Mr. Scribner.)

Mr. DOYLE (continuing to read) :

An authoritarian dictatorship within a republic. It demands these freedoms, not for its members, but for the organized party. It denies to its own members at the same time the freedom to dissent, to debate, to deviate from the

party line, and enforces its authoritarian rule by crude purges, if nothing more violent.

I felt, Mr. Chairman, and members of the committee, it might be appropriate to have a few comments from the majority opinion in there at that point.

Mr. NIXON. Could I make an observation, Mr. Doyle, or am I interrupting you?

Mr. DOYLE. Well, I wish to follow my line of questioning, if I may.

You are familiar with the jury cases, I know, throughout our Nation in the last 2 or 3 years in which alleged Communists have been indicted and found guilty by juries of their peers in the Federal courts, aren't you? You are familiar with all of them, no doubt?

Mr. NIXON. In a general way I am familiar—you are referring to—

Mr. DOYLE. Not in a specific way?

Mr. NIXON. I don't know where you draw the line between general and specific.

Mr. DOYLE. I draw the line here. I assume from your comments and your history as a legislative representative for many years and, by the way, I believe a very thorough one, from my information as to your ability, I would just assume that you are rather specifically informed on these jury cases.

Mr. NIXON. By guilty, you mean for violation of the Smith act?

Mr. DOYLE. They were indicted and found guilty, were they not, by every American jury in the last 2 years in this country?

Mr. NIXON. They were found guilty of the Smith act, violation of the Smith act.

Mr. DOYLE. They were found guilty of what they were charged with?

Mr. NIXON. They were charged with violation of the Smith act.

Mr. DOYLE. They were found guilty of conspiracy.

Mr. KEARNEY. Let's not quibble. Whatever charges they were charged with in the indictment, they were found guilty?

Mr. NIXON. The charges were important in this discussion.

Mr. DOYLE. They were charged with violation of statutory law of your country and my country?

Mr. NIXON. Right.

Mr. DOYLE. And the law governs, not your opinion and my opinion of them, in America, in my book.

Mr. NIXON. Of course—

Mr. DOYLE. Don't you think it is significant—and the reason I am asking you these questions I think is basic in view of your statement—don't you think it significant that every American jury for the last couple of years has found their fellow American citizens guilty of either being a part of a conspiracy or individually advocating the use of force and violence?

Mr. NIXON. Yes, I think it significant, and it confirms my feeling of the wrongness of the Smith act. Now, your Los Angeles democratic county committee in—

Mr. DOYLE. Now—

Mr. NIXON. In May 1952—

Mr. DOYLE. In other words—

Mr. NIXON (continuing). Has come out against the Smith Act and called for its repeal. I take the same position as your democratic county central committee.

Mr. DOYLE. I don't want you to exaggerate that too much because sometimes political committees make errors temporarily.

Mr. WALTER. Particularly California.

Mr. DOYLE. And I wish to say to you that I am not at all proud of the fact that at one time in Los Angeles County the Los Angeles democratic committee came out against the Smith Act. It was because they did not then know the seriousness of the existing Communist conspiracy.

Mr. NIXON. They said unanimously a year ago in regard to the Smith Act, " * * * ideas, books, and opinions of persons who have been charged were no instance of an illegal or unlawful act or overt conduct."

Now, that is the statement of your Los Angeles democratic county central committee, and they did not dissent.

Mr. DOYLE. Just a minute. When in possession of all the facts, folks change their opinions.

Mr. SCHERER. Of course, neither did the Supreme Court of the United States.

Mr. DOYLE. One thing more. Apparently, then, you don't agree with the American juries in their findings of these defendants guilty?

Mr. NIXON. I tried to tell you that I think the significance of the jury findings that you mention rests basically on the evil of the Smith Act as a censor and limitation on the basic rights of the American people to exercise freedom of speech. That is where I think the basic difficulty lies.

Mr. DOYLE. I mentioned the Dennis case and quoted from the majority opinion, and I mention the jury cases, and I could mention the recommendation by the panel of the Subversive Activities Control Board, which I know you are familiar with, too, but I will not take time for that.

In view of the fact that on page 4 of your statement you are charging this committee with hiding behind a facade of fake concern, f-a-k-e, a fake concern, about forceful overthrow of our—

(At this point Mr. Nixon conferred with Mr. Scribner.)

Mr. DOYLE (continuing). Form of government—and I wish to call to your attention, Mr. Nixon, that there is no fake concern on my part in sitting on this committee and trying to uncover the subversive activities of either individuals or groups of individuals.

Mr. SCHERER. At least we are not Communists hiding behind the fifth amendment.

Mr. NIXON. That is a very unfortunate statement for a lawyer to make, Mr. Scherer, because you know the fifth amendment has implications which do not justify that kind of belittlement of our Bill of Rights. The Supreme Court said that, and I think you should recall it yourself as a lawyer.

(At this point Mr. Nixon conferred with Mr. Scribner.)

Mr. SCHERER. I can draw no other conclusions from your testimony, either as a lawyer or a citizen or a member of this committee, except that you are a member of the Communist Party today.

Mr. DOYLE. May I say this, Mr. Nixon, in closing my brief observations and questioning: I have always been very proud of the fact,

and I am now, that in all of my 4 campaigns for election and reelection to the United States Congress, I have been endorsed and approved by the right wing of the CIO and by the AFL, and that ought to indicate to you the fundamental attitude on my part in connection with this next question in your statement.

I just wish to say to you, because I can't let it go by unchallenged, I do not know of any truth in your statement, so far as fact is concerned, that this committee, at least during 2½ years I have been a member of it, has ever participated directly or indirectly, intentionally or otherwise, in union baiting, and I just want the record to show that I think you are entirely mistaken, and I know of no such plan in the past or in the present. Naturally, I think neither I nor any other member of this committee would be a party to any such despicable program, because in my judgment it would be despicable.

Mr. NIXON. Will you let me put in the record the evidence I have to back up my opinion of this committee? I have a substantial amount of evidence—

Mr. DOYLE. I understand—

Mr. NIXON. And I have an affidavit of a former friendly witness of this committee which established it without any question of doubt. Mr. Walter remembers very well.

Mr. DOYLE. I understand there may be at a later date hearings on a bill or two, at which time if there is such honest evidence—

Mr. NIXON. I can prove it right now. I don't care to wait. I would like to have the opportunity to do it. I would be glad to present this affidavit to the committee, of I may.

Mr. DOYLE. Of course, an affidavit is not competent before this committee for that sort of conclusive evidence we ought to have.

Mr. NIXON. It is pretty important evidence because this is a witness friendly to this committee.

Mr. DOYLE. It is not competent or conclusive in answer to the statement I have made. We need ample conclusive evidence whether our affidavit is not.

Mr. NIXON. Not conclusive, but highly significant.

Mr. KEARNEY. Let's proceed without any argument here.

Mr. DOYLE. Now, finally I wish to ask you, Mr. Nixon, I wish to urge you as a recognized labor leader of thousands of men and largely responsible, therefore, for their attitude on legislative matters—

Mr. NIXON. It is the other way around. They are responsible for my attitude. I mean that—

Mr. DOYLE. Well—

Mr. NIXON. Particularly in areas—

Mr. DOYLE. Through your evidence, of what attitude they would take, I would say.

Mr. NIXON. It doesn't work that way in a democratic union. They don't need professors to tell them what their attitude should be.

Mr. DOYLE. In my book it works substantially that way. But may I just urge you to do this, as promptly as may be, to consider changing your attitude toward the United States Congress, which is your Congress. I want to urge you to change your attitude to the extent that you become willing to cooperate with your Congress in uncovering subversive people or subversive programs, and I refer expressly at this instant to the American Communist Party, or to any American

Fascist or any other person or any other group of persons that may be totalitarian subversive in their intent to overthrow our Government.

In other words, I am not limiting it in this statement to the American Communist Party. I am broadening it to include any subversive person or group of subversive persons in my country.

You could do your Nation a world of good if you cooperate with your Congress in helping to uncover, instead of otherwise.

Mr. NIXON. Mr. Doyle, it is very important for me to be able to say that I have the greatest respect for the Congress, and I have shown that in all the years I have been here. It is precisely because I have such respect for the institution of such representative government and for the Constitution that I am disturbed by the climate of fear which I think is damaging my country and its welfare and interest.

As far as proposals, I am prepared right now to make proposals to you as to where you want to look to get into subversive activities in this country. I can do it right now.

Mr. SCHERER. We might be willing to listen to those if you answered questions we asked you instead of invoking the fifth amendment. We are not willing to listen to a witness who hasn't come to testify.

Mr. NIXON. Mr. Doyle asked for them and I said I was willing to give them right now.

Mr. DOYLE. I said uncover them in a constructive manner. There will be an opportunity at a future time when we can go into some of those things, but I am not personally confining my attitude as a member of this committee toward subversive conduct and illegal subversive activity of just the American Communist Party.

Mr. NIXON. The unfortunate thing is, the committee hasn't touched the operations of the Fascist group in this country, and the anti-Semitic, Jim Crow elements.

Mr. DOYLE. You are not in position to know how far we have gone.

Mr. NIXON. I know the public record.

Mr. KEARNEY. We will confine ourselves to the hearing.

Mr. DOYLE. I think that is all at this time.

Mr. KEARNEY. I haven't any question, Mr. Nixon, other than to state that I have read your statement through thoroughly several times during the recess, and I am not going to receive it for the record due to the fact that I think, in my own opinion, that it contains much scurilous matter and many untruths.

The committee is in recess until 10 o'clock tomorrow morning.

(Whereupon, at 3:15 p. m., the hearing was recessed until 10 a. m., Wednesday, June 10, 1953.)

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